MADRAS ACTS

1966

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TANJORE.

SUPPLEMENT TO THE MADRAS LAW JOURNAL.

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CONTENTS.

	PAGES.
The Madras Additional Assessment and Additional Water-cess (Amendment) Act (XIII of 1966) ..	91
The Madras Agricultural Income-tax (Amendment) Act (VII of 1966) ..	70
The Madras Appropriation Act (V of 1966) ..	66
The Madras Appropriation (No. 2) Act (VI of 1966) ..	68
The Madras Appropriation (No. 3) Act (X of 1966) ..	75
The Madras Appropriation (No. 4) Act (XV of 1966) ..	93
The Madras Appropriation (No 5) Act (XXIV of 1965) ..	2
The Madras Appropriation (No. 5) Act (XVI of 1966) ..	94
The Madras Appropriation (No. 6) Act (XXV of 1965) ..	3
The Madras City Tenant's Protection (Amendment) Act (XXXVII of 1965) ..	43
The Madras Co-operative Societies (Amendment) Act (VIII of 1966) ..	74
The Cotton Ginning and Pressing Factories (Madras Amendment) Act (XXIII of 1965) ..	1
The Madras Cultivating Tenants' (Protection from Eviction) Act (XI of 1966) ..	76
The Madras Electricity (Taxation on Consumption) Amendment Act (XXIX of 1965)	11
The Madras Electricity Duty (Amendment) Act (IX of 1966) ..	74
The Madras Entertainments Tax (Amendment) Act (XX of 1966) ..	98
The Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Act (IV of 1966) ..	66
The Madras Forest Amendment Act (XL of 1965) ..	45
The Madras General Sales Tax (Amendment) Act (III of 1966) ..	65
The Madras General Sales Tax (Second Amendment) Act (XXX of 1965) ..	12
The Madras General Sales Tax (Second Amendment) Act (XVIII of 1966) ..	96
The Madras Gift Goods (Unlawful Possession) Amendment Act (I of 1966) ..	51
The Glanders and Farcy (Madras Amendment) Act (XXXVI of 1965) ..	42
The Madras Hindu Religious and Charitable Endowments (Second Amendment) Act (XXXI of 1965) ..	13
The Indian Partnership (Madras Amendment) Act (XXXV of 1965) ..	41
The Indian Registration (Madras Amendment) Act (XXI of 1966) ..	101
The Madras Land Encroachment (Amendment) Act (XXVI of 1965) ..	5
The Madras Land Revenue and Water-cess (Surcharge) Act (XXXIV of 1965) ..	36
The Madras (Transferred Territory) Luxury Tax on Tobacco (Validation) Act (XIV of 1966) ..	91
The Madras Motor Vehicles (Taxation of Passengers and Goods) Amendment Act (XIX of 1966) ..	97
The Madras Panchayats (Amendment) Act (XXXVIII of 1965) ..	44
The Madras Panchayats (Amendment) Act (XVII of 1966) ..	96
The Madras Preservation of Private Forests Continuance Act (XXXII of 1965) ..	14
The Madras Sales of Motor Spirit Taxation (Amendment) Act (XXVII of 1965) ..	9
The Madras Sales of Motor Spirit Taxation (Second Amendment) Act (XXVIII of 1965) ..	10
The Madras University (Amendment) Act (II of 1966) ..	52
The Madras Urban Land Tax Act (XII of 1966) ..	78
The Madras Warehouses (Amendment) Act (XXXIX of 1965) ..	45
The Madurai University Act (XXXIII of 1965) ..	14

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MADRAS ACTS

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THE COTTON GINNING & PRESSING FACTORIES (MADRAS AMENDMENT) ACT, 1965.

[*Received the assent of the President on the* 28*th October*, 1965, *Published in the Fort St. George Gazette, Part IV, section* 4, *page* 145, *dated the* 17*th November*, 1965].

ACT No. XXIII OF 1965.

An Act further to amend the Cotton Ginning and Pressing Factories Act, 1925, *in its application to the State of Madras.*

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India, as follows :—

Short title, extent and commencement.

1. (1) This Act may be called THE COTTON GINNING AND PRESSING FACTORIES (MADRAS AMENDMENT) ACT, 1965.

(2) It extends to the whole of the State of Madras.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of section 3-C, Central Act XII of 1925.

2. In sub-section (1) of section 3-C of the Cotton Ginning and Pressing Factories Act, 1925 (Central Act XII of 1925)—

(1) for clause (*a*), the following clause shall be substituted, namely :—

" (*a*) For the purposes of section 3-B, cotton shall be deemed to be watered, if it contains—

(i) moisture in excess of the normal quantity ; or

(ii) cakes or patches.";

(2) for clause (*c*), the following clause shall be substituted, namely :—

" (*c*) A certificate given by the prescribed authority as to the presence of moisture in excess of the normal quantity in a given quantity of cotton or as to the presence of cakes or patches shall, until the contrary is proved, be presumed to be correct."

THE MADRAS APPROPRIATION (No. 5) ACT, 1965.

[*Received the assent of the Governor on the* 15*th November*, 1965, *Published in the Fort St. George Gazette*, (Extraordinary) *Part IV*, *section* 4, *page* 137, *dated the* 15*th November*, 1965].

ACT No. XXIV OF 1965.

An Act to provide for the authorization of appropriation of moneys out of the Consolidated Fund of the State to meet the amounts spent on certain services during the financial year ended on the 31*st day of March*, 1963, *in excess of the amounts authorized or granted for the said services.*

BE it enacted by the Legislature of the State of Madras in the Sixteenth year of the Republic of India, as follows :—

Short title.

1. This Act may be called THE MADRAS APPROPRIATION (No. 5) ACT, 1965.

Issue of Rs. 1,10,88,406 out of the Consolidated Fund of the State for the financial year ended on the 31st March, 1963.

2. The sums specified in column (5) of the Schedule amounting in the aggregate to the sum of one crore, ten lakhs, eighty-eight thousand, four hundred and six rupees shall be deemed to have been authorized to be paid and applied from and out of the Consolidated Fund of the State to meet the amounts spent for defraying the charges in respect of the services and purposes specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1963, in excess of the amounts authorized or granted for these services and purposes for that year.

Appropriation.

3. The sums deemed to have been authorized to be paid and applied from and out of the Consolidated Fund of the State under this Act shall be appropriated and shall be deemed to have been appropriated for the services and purposes specified in the Schedule in relation to the financial year ended on the 31st day of March, 1963.

THE SCHEDULE.

(*See* sections 2 and 3)

Demand number.	*Services and purposes.*	*Sums*		
		Voted by the Legislative Assembly	*Charged on the Consolidated Fund of the State*	*Total*
(1)	(2)	(3)	(4)	(5)
		Rs.	Rs.	Rs.
II	Motor Vehicles Acts—Administration	21,034	..	21,034
VI	State Legislature ..		650	650
IX	District Administration and Miscellaneous ..	..	23,357	23,357
X	Administration of Justice ..	38,111	..	38,111
XI	Jails ..	6,99,885	..	6,99,885
XIV	Medical ..	12,09,907	..	12,09,907
XXII	Khadi ..	7,780	..	7,780
XXIII	Community Development Projects, etc. ..	10,32,894	..	10,32,894
XXVI	Irrigation ..	17,28,622	..	17,28,622
XXVII	Public Works—Works ..	45,11,513	1,473	45,12,986
XXVIII	Public Works—Establishment and tools and Plant. ..	2,53,539	..	2,53,539
XXX	Road Transport Schemes	2,45,838	..	2,45,838

Demand number.	Services and purposes.	Sums: Voted by the Legislative Assembly.	Sums: Charged on the Consolidated Fund of the State	Total.
(1)	(2)	(3)	(4)	(5)
		Rs.	Rs.	Rs.
XXXII	Pensions ..	2,00,587	84,174	2,84,761
XXXIII	Miscellaneous ..	..	2,46,325	2,46,325
XXXVI	Other Miscellaneous Contributions and Assignments ..	4,23,942	..	4,23,942
XXXVIII	Capital Outlay on Public Health ..	2,28,526	..	2,28,526
XLIII	Capital Outlay on Road Transport Schemes. ..	..	4	4
XLV	Commuted Value of Pensions ..	..	1,30,245	1,30,245
	Grand Total :	1,06,02,178	4,86,228	1,10,38,406

THE MADRAS APPROPRIATION (No. 6) ACT, 1965.

[*Received the assent of the Governor on the* 15*th November*, 1965, *Published in the Fort St. George Gazette*, (Extraordinary) *Part IV*, *section* 4, *page*, 141, *dated the* 15*th November*, 1965].

ACT No. XXV OF 1965.

An Act to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the service of the financial year which commenced on the 1*st April*, 1965.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India, as follows :—

Short title.

1. This Act may be called THE MADRAS APPROPRIATION (No. 6) ACT, 1965.

Supplementary appropriation out of the Consolidated Fund for the financial year which commenced on the 1st April, 1965.

2. The State Government may appropriate, out of the Consolidated Fund of the State, for the financial year which commenced on the 1st April, 1965, a further sum not exceeding seven crores, forty-four lakhs, sixty-three thousand and nine hundred rupees being moneys required to meet—

(*a*) the supplementary grants made by the Madras Legislative Assembly for that period, as set forth in column (3) of the Schedule ; and

(*b*) the supplementary expenditure charged on the Consolidated Fund of the State for that period, as set forth in column (4) of the Schedule.

THE SCHEDULE.

Demand number.	Services and purposes	Sums not exceeding		
		Voted by the Legislative Assembly	*Charged on the Consolidated Fund of the State.*	*Total.*
(1)	(2)	(3)	(4)	(5)
		Rs.	Rs.	Rs.
I	Land Revenue Department	22,700	..	22,700
II	Motor Vehicles Acts—Administration ..	65,600	..	65,600
III	General Sales Tax and other Taxes and Duties–Administration	56,200	..	56,200
VII	Elections ..	20,00,000	..	20,00,000
VIII	Head of State, Ministers and Headquarters Staff	1,55,600	..	1,55,600
IX	District Administration and Miscellaneous ..	6,00,000	..	6,00,000
X	Administration of Justice	44,800	..	44,800
XII	Police ..	5,13,700	..	5,13,700
XIII	Education ..	1,87,900	..	1,87,900
XIV	Medical ..	3,42,400	..	3,42,400
XV	Public Health ..	80,100	..	80,100
XVI	Agriculture ..	78,08,900	..	78,08,900
XVII	Fisheries ..	11,12,100	..	11,12,100
XVIII	Animal Husbandry ..	3,95,100	..	3,95,100
XIX	Co-operation ..	13,39,000	..	13,39,000
XX	Industries	11,50,100	..	11,50,100
XXV	Welfare of the Scheduled Tribes, Castes and other Backward Classes ..	50,000	..	50,000
XXVI	Irrigation ..	300	..	300
XXVII	Public Works—Works ..	2,46,300	..	2,46,300
XXVIII	Public Works—Establishment and Tools and Plant	7,01,900	..	7,01,900
XXIX	Public Works—Grants in aid ..	6,97,700	..	6,97,700
XXX	Road Transport Scheme	15,00,000	1,00,000	16,00,000
XXXIII	Miscellaneous ..	19,42,600	..	19,42,600
XXXIII-*A*	National Emergency ..	6,00,000	..	6,00,000
XXXVI	Other Miscellaneous Compensations and Assignments ..	13,53,000	..	13,53,000
XXXIX	Capital Outlay on Agriculture	65,300	..	65,300
XLI	Capital Outlay on Industrial Development ..	5,97,500	2,37,200	8,34,700
XLII	Capital Outlay on Irrigation ..	4,20,600	..	4,20,600
XLIII	Capital Outlay on Public Works ..	50,47,200	7,300	50,54,500
XLIV	Capital Outlay on Road Transport Schemes ..	6,00,000	..	6,00,000
XLVII	Capital Outlay on Schemes of Government Trading	24,00,100	..	24,00,100
XLVIII	Loans and Advances by the State Government ..	4,20,22,700	..	4,20,22,700
	Grand Total ..	7,40,54,100	4,09,800	7,44,63,900

THE MADRAS LAND ENCROACHMENT (AMENDMENT) ACT, 1965.

[*Received the assent of the President on the* 10*th November*, 1965, *Published in the Fort St. George Gazette, Part IV, section* 4, *page* 147, *dated the* 24*th November*, 1965.]

ACT No. XXVI OF 1965.

An Act further to amend the Madras Land Encroachment Act, 1905.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title.

1. This Act may be called THE MADRAS LAND ENCROACHMENT (AMENDMENT) ACT, 1965.

Insertion of new section 5-B in Madras Act III of 1905.

2. After section 5-A of the Madras Land Encroachment Act, 1905 (Madras Act III of 1905) (hereinafter referred to as the principal Act), the following section shall be inserted, namely :—

" 5-B. *Notice before proceeding under section* 5 *or section* 5-A.—Before taking proceedings under section 5 or section 5-A, the Collector, or Tahsildar or Deputy Tahsildar or Revenue Inspector, shall cause to be served in the manner provided in section 7 on the person reputed to be in unauthorized occupation of land being the property of Government, a notice specifying the land so occupied and calling on him to show cause before a certain date why he should not be proceeded against under section 5 or section 5-A :

Provided that where the notice under this section is caused to be served by the Revenue Inspector, he shall require the person reputed to be in unauthorized occupation of the land to show cause against such notice to the Tahsildar or Deputy Tahsildar having jurisdiction and shall also make a report in writing containing such particulars as may be specified in rules or orders made under section 8 to the Tahsildar or Deputy Tahsildar having jurisdiction."

Amendment of section 6, Madras Act III of 1905.

3. In section 6 of the principal Act—

(i) in sub-section (1),—

(*a*) after the words " by the Collector "in the first place where they occur the words " or subject to his control, by the Tahsildar or Deputy Tahsildar or any other officer authorized by the State Government in this behalf (hereinafter referred to as the authorized officer)" shall be inserted ;

(*b*) after the words " as the Collector " in the two places where they occur, the words " or subject to his control, the Tahsildar or Deputy Tahsildar or authorized officer " shall he inserted ;

(*c*) after the words " by the Collector " in the second place where they occur, the words " or subject to his control, by the Tahsildar or Deputy Tahsildar or authorized officer " shall be inserted ;

(ii) in sub-section (2),—

(*a*) after the word " Collector " in the first two places where it occurs, the words, " or the Tahsildar or Deputy Tahsildar or authorized officer " shall be inserted ;

(*b*) for the words, " or of any Tahsildar or Deputy Tahsildar," the words " or of any Tahsildar or Deputy Tahsildar or authorized officer " shall be substituted ;

(iii) after sub-section (2) the following sub-section shall be added, namely :—

" (3) Any authorized officer taking proceedings under this section shall make a report in writing containing such particulars as may be specified in rules or orders made under section 8 to the Collector, Tahsildar or Deputy Tahsildar having jurisdiction."

Amendment of section 7, Madras Act III of 1905.

4. (1) In section 7 of the principal Act—

(i) for the words, figures and letter "under section 5, section 5-A or section 6" in the two places where they occur, the words and figure "under section 6" shall be substituted ;

(ii) for the words "or Deputy Tahsildar," the words "or Deputy Tahsildar or Revenue Inspector or any authorized officer or any officer of the Highways Department not below the rank of a Section Officer and not being an authorized officer" shall be substituted.

(2) To the same section, the following provisos shall be added, namely :—

"Provided that no such notice shall be necessary in the case of any person unauthorizedly occupying any land, if he had been previously evicted from such land under section 6 or if he has previously vacated such land voluntarily after the receipt of a notice under section 5-B or under this section :

Provided further that where the notice under this section is caused to be served by any Revenue Inspector or any officer of the Highways Department not below the rank of a section officer and not being an authorized officer, he shall require the person reputed to be in unauthorized occupation of the land to show cause against such notice to the Collector, Tahsildar or Deputy Tahsildar having jurisdiction and shall also make a report in writing containing such particulars as may be specified in rules or orders made under section 8 to the Collector, Tahsildar or Deputy Tahsildar having jurisdiction."

Amendment of section 8, Madras Act III of 1905.

5. (1) Section 8 of the principal Act shall be renumbered as sub-section (1) of that section and in the sub-section as so renumbered—

(i) in clause (*d*), the words "and prescribing the form of such notices" shall be added at the end ;

(ii) after clause (*d*), the following clauses shall be added, namely :—

"(*e*) specifying the particulars to be contained in the report under the proviso to section 5-B under sub-section (3) of section 6 and under the second proviso to section 7 ;

(*f*) regulating the procedure to be followed in appeals and revisions under this Act ; and

(*g*) for the purpose of carrying into effect the provisions of this Act." ;

(iii) the sentence "Such general rules or orders shall be made only after previous publication" shall be omitted.

(2) After sub-section (1) as so renumbered, the following sub-sections shall be added, namely :—

"(2) All rules and orders made under this section shall be published in the *Fort St. George Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(3) Every rule and every order made under this section shall, as soon as possible after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or order or both Houses agree that the rule or order should not be made, the rule or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or order."

Amendment of section 10, Madras Act III of 1905.

6. In section 10 of the principal Act—

(i) in sub-section (1)—

(*a*) the brackets and figure "(1)" occurring at the commencement shall be omitted ;

(*b*) in clause (*a*), after the words "or Deputy Tahsildar," the words "or an authorized officer" shall be inserted ;

(*c*) the sentence " There shall be no appeal against a decision or order passed by the Collector or the District Collector on appeal, but the District Collector may revise any decision or order passed by a Deputy Tahsildar, Tahsildar or Collector under this Act, and the Board of Revenue may revise any decision or order passed by any officer under this Act " shall be omitted ;

(ii) sub-section (2) shall be omitted.

Insertion of new sections 10-A and 10-B in Madras Act III of 1905.

7. After section 10 of the principal Act, the following sections shall be inserted, namely :—

" 10-A. *Revision.*—(1) Any decision or order passed under this Act may be revised either *suo motu* or on application—

(*a*) by the District Collector, if such decision or order was passed by an authorized officer or a Deputy Tahsildar, Tahsildar or Collector ;

(*b*) by the Board of Revenue, if such decision or order was passed by any officer ;

(*c*) by the State Government, if such decision or order was passed by the Board of Revenue.

(2) The power conferred by sub-section (1) shall not be exercised except on the ground that the officer or authority whose decision or order is sought to be revised appears to have exercised a jurisdiction not vested in him or it by law, or to have failed to exercise a jurisdiction so vested, or to have acted in the exercise of his or its jurisdiction illegally or with material irregularity.

(3) No decision or order shall be passed under sub-section (1) prejudicial to any person without giving such person a reasonable opportunity of making any representation that he may desire to make and such representation, if any, shall be taken into consideration, before such decision or order is passed.

" 10-B. *Stay pending decision in appeal or revision.*—Pending the disposal of any appeal or application or proceedings for revision under this Act, the Collector, the District Collector, the Board of Revenue, or the State Government, as the case may be, may by order, and subject to such conditions as may be specified therein, stay the execution of the decision or order appealed against or sought to be revised."

Substitution of new section for section 11, Madras Act III of 1905.

8. For section 11 of the principal Act, the following section shall be substituted, namely :—

" 11. *Limitation for appeal and revision.*—(1) No appeal shall be preferred under section 10 after the expiration of thirty days from the date on which the decision or order appealed against was received by the appellant.

(2) No application for revision shall be preferred under sub-section (1) of section 10-A after the expiration of thirty days from the date on which the decision or order sought to be revised was received by the applicant.

(3) In computing the period of thirty days referred to in sub-sections (1) and (2), the time required to obtain a copy of the decision or order appealed against or sought to be revised shall be excluded.

(4) Notwithstanding anything contained in sub-sections (1) and (2), the officer or authority concerned or the State Government may admit an appeal or application preferred after the period specified therein, if such officer or authority or Government is or are satisfied that the appellant or applicant had sufficient cause for not preferring the appeal or application within that period."

Amendment of section 12, Madras Act III of 1905.

9. In section 12 of the principal Act,—

(i) in the marginal note, after the word " appeal ", the words " or application for revision " shall be added ;

(ii) after the words " Every petition of appeal ", the words " or application for revision " and after the words " appealed against ", the words " or sought to be revised " shall be inserted.

Amendment of the Schedule, Madras Act III of 1905.

10. In the Schedule to the principal Act—

(i) in the heading, the words " BY THE COLLECTOR " shall be omitted ; and

(ii) for the brackets and words " (Signature of Collector) " at the end, the following shall be substituted, namely :—

" Signature of { Collector / Tahsildar / Deputy Tahsildar / Authorized Officer."

Certain orders passed not to be deemed invalid.

11. Notwithstanding any judgment, decision or order of any Court, anything done or any action taken or any decision or order passed by the State Government before the date of publication of this Act in the *Fort St. George Gazette*, shall not be deemed to be invalid merely by reason of the fact that the State Government had, before such publication, no power to revise any decision or order passed by the Board of Revenue.

Extension of Madras Act III of 1905 to the added territories, repeal and savings.

12. (1) The principal Act, as in force immediately before the commencement of this Act in the State of Madras except in the added territories and as amended by this Act (hereinafter in this section referred to as the Madras Act), is hereby extended to and shall be in force in the added territories.

(2) If, immediately before the commencement of this Act, there is in force in the added territories any law corresponding to the Madras Act, such corresponding law shall stand repealed on such commencement.

(3) The repeal by sub-section (2) of any law corresponding to the Madras Act in force in the added territories immediately before the commencement of this Act shall not affect—

(*a*) the previous operation of any such law or anything duly done or suffered thereunder ; or

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under any such law ; or

(*c*) any penalty, forfeiture or punishment incurred in respect of any offence committed against any such law ; or

(*d*) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture of punishment as aforesaid ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(4) Subject to the provisions of sub-section (3), anything done or any action taken, including any appointment or delegation made, notification, order instruction or direction issued, rule, regulation or form framed, certificate granted or registration effected under any such corresponding law shall be deemed to have been done or taken under the corresponding provision of the Madras Act and shall continue in force accordingly, unless and until superseded by anything done or any action taken under the Madras Act.

(5) For the purpose of facilitating the application of the Madras Act in the added territories, any Court or other authority may construe the Madras Act with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the Court or other authority.

(6) Any reference in the Madras Act to a law which is not in force in the added territories shall, in relation to those territories, be construed as a reference to the corresponding law, if any, in force in those territories.

(7) Any reference in any law which continues to be in force in the added territories after the commencement of this Act to any law repealed by sub-section

(2) shall in relation to those territories, be construed as a reference to the Madras Act.

Explanation.—For the purpose of this section, the expression "added territories" shall mean the territories specified in the Second Schedule to the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (Central Act LVI of 1959).

THE MADRAS SALES OF MOTOR SPIRIT TAXATION (AMENDMENT) ACT, 1965.

[*Received the assent of the Governor on the* 20*th November*, 1965.
Published in the Fort St. George Gazette (Extraordinary), *Part IV, Section* 4, *page* 155, *dated the* 24*th November*, 1965.]

ACT No. XXVII OF 1965.

An Act further to amend the Madras Sales of Motor Spirit Taxation Act, 1939.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the MADRAS SALES OF MOTOR SPIRIT TAXATION (AMENDMENT) ACT, 1965.

(2) Clauses (*i*) and (*iii*) of section 4 shall be deemed to have come into force on the 13th day of March, 1959 ; and the rest of this Act shall come into force at once.

Amendment of section 2, Madras Act VI of 1939.

2. In section 2 of the Madras Sales of Motor Spirit Taxation Act, 1939 (Madras Act VI of 1939) hereinafter referred to as the principal Act),—

(i) in clause (*g*), the word "and" at the end shall be omitted ;

(ii) in clause (*h*), the word "and" shall be added at the end ;

(iii) after clause (*h*), and before the Explanation, the following clause shall be inserted, namely :—

(i) "year" means the financial year."

Amendment of section 3, Madras Act VI of 1939.

3. In section 3 of the principal Act,—

(i) in sub-section (1), the words "and on all motor spirit used or transferred for consumption by him" shall be omitted ;

(ii) sub-section (3) shall be omitted.

Amendment of section 4, Madras Act VI of 1939.

4. In section 4 of the principal Act,—

(i) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1-A) (*a*) Registration under sub-section (1) shall be made subject to such conditions as may be prescribed.

(*b*) Any such registration shall be valid for a year and may be renewed from year to year. Such renewal shall be subject to such conditions as may be prescribed.";

(ii) in clause (*b*) of sub-section (2), the words, figure, brackets and letter "and in the next return of retail sales submitted by him under section 5 (*b*)" shall be omitted ;

(iii) for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) Application for registration as an importer, or a wholesale dealer, or a retail dealer under this Act or for renewal of such registration shall be made in such form, to such authority and shall be accompanied by such fee, as may be prescribed."

(iv) sub-section (4) shall be omitted ;

(v) in sub-section (5), for the words "an importer, a wholesale dealer or a retail dealer", the words "an importer or a wholesale dealer" shall be substituted.

Substitution of new section for section 5, Madras Act VI of 1939.

5. For section 5 of the principal Act, the following section shall be substituted, namely :—

" 5. *Obligation of retail dealers to keep books of account.*—Every retail dealer in motor spirit shall in respect of each place where he carries on business keep books of account in the prescribed form.".

Amendment of section 6, Madras Act VI of 1939.

6. In section 6 of the principal Act, the words " or used or transferred for consumption by him " shall be omitted.

Amendment of section 10, Madras Act VI of 1939.

7. In section 10 of the principal Act,—

(i) for clause (*b*), the following clause shall be substituted, namely :—

" (*b*) fails to keep books of account as required by section 5 or clause (*a*) of section 8, or ";

(ii) in clause (*c*), the words and figure " section 5 or of " shall be omitted.

Amendment of section 26, Madras Act VI of 1939.

8. Sub-section (4) of section 26 of the principal Act shall be omitted.

Omission of section 27, Madras Act VI of 1939.

9. Section 27 of the principal Act shall be omitted.

Addition of new section 29 in Madras Act VI of 1939.

10. After section 28 of the principal Act, the following section shall be added, namely :—

" 29. *Rules and orders to be placed before the Legislature.*—(1) All rules made under this Act and all orders made under section 28 shall be published in the *Official Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(2) Every rule made under this Act and every order made under section 28 shall, as soon as possible, after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or order or both Houses agree that the rule or order should not be made, the rule or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or order.".

THE MADRAS SALES OF MOTOR SPIRIT TAXATION (SECOND AMENDMENT) ACT, 1965.

[*Received the assent of the Governor on the 20th November*, 1965. *Published in the Fort St. George Gazette* (Extraordinary), *Part IV, Section* 4, *page* 159, *dated the 24th November*, 1965.]

ACT NO. XXVIII OF 1965.

An Act further to amend the Madras Sales of Motor Spirit Taxation Act, 1939.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS SALES OF MOTOR SPIRIT TAXATION (SECOND AMENDMENT) ACT, 1965.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of section 3, Madras Act VI of 1939.

2. In sub-section (1) of section 3 of the Madras Sales of Motor Spirit Taxation Act, 1939 (Madras Act VI of 1939), for the portion beginning with the words " in the case of petrol " and ending with the words " two naye paise per litre ", the following shall be substituted, namely :—

" in the case of petrol or diesel oil, —at the rate of ten paise per litre, and in the case of any motor spirit other than petrol or diesel oil,—at the rate of two paise per litre.".

THE MADRAS ELECTRICITY (TAXATION ON CONSUMPTION) AMENDMENT ACT, 1965.

[*Received the assent of the Governor on the* 21*st November*, 1965. *Published in the Fort St. George Gazette* (Extraordinary), *Part IV*, *Section* 4, *page* 161, *dated the* 24*th November*, 1965.]

ACT NO. XXIX OF 1965.

An Act further to amend the Madras Electricity (*Taxation on Consumption*) *Act*, 1962.

BE it enacted by the Legislatue of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title and commencement. 1. (1) This Act may be called THE MADRAS ELECTRICITY (TAXATION ON CONSUMPTION) AMENDMENT ACT, 1965.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of section 2, Madras Act IV of 1962. 2. In section 2 of the Madras Electricity (Taxation on Consumption) Act, 1962 (Madras Act IV of 1962) (hereinafter referred to as to the principal Act), after clause (1), the following clause shall be inserted, namely :—

'(1-A) " Domestic Bulk Supply " means energy supplied for lighting, fans, refrigerators cookers and similar domestic appliances on a combined circuit, where the connected and utilized load in electrical equipment (other than lights, radios and fans) is not less than 1,000 watts ;'.

Amendment of section 3, Madras Act IV of 1962. 3. In sub-section (1) of section 3 of the principal Act, for clause (*b*) the following clause shall be substituted, namely :—

" (*b*) The electricity tax shall be calculated at the following rates on the basis of the price of energy consumed by the consumer, namely :—

(i) High Tension Supply, subject to items (ii) to (iv).	Thirty-five per centum of the price of energy consumed.
(ii) High Tension Supply for textile industry.	Forty per centum of the price of energy sconsumed.
(iii) High Tension Supply for cement industry.	Fifteen per centum of the price of energy consumed.
(iv) High Tension Supply for energy intensive industries.	Ten per centum of the price of energy consumed.
(v) Low Tension Supply (including Low Tension Domestic Bulk Supply), subject to item (vi).	Twenty per centum of the price of energy consumed.
(vi) Low Tension Supply for domestic purposes (other than Domestic Bulk Supply).	Ten per centum of the price of energy consumed :

Provided that the rate of electricity tax in respect of consumers under High Tension Supply and liable to pay fuel surcharge shall be ten per centum of the price of energy consumed.".

THE MADRAS GENERAL SALES TAX (SECOND AMENDMENT) ACT, 1965.

[*Received the assent of the Governor on the* 21*st November*, 1965.
Published in the Fort St. George Gazette (Extraordinary), *Part IV*, *Section* 4, *page* 163, *dated the* 24*th November*, 1965.]

ACT No. XXX OF 1965.

An Act further to amend the Madras General Sales Tax Act, 1959.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS GENERAL SALES TAX (SECOND AMENDMENT) ACT, 1965.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of section 3, Madras Act I of 1959.

2. In section 3 of the Madras General Sales Tax Act, 1959 (Madras Act I of 1959) (hereinafter referred to as the principal Act),—

(*a*) in sub-section (1), for the words " two per cent ", the words " two and a half per cent " shall be substituted ;

(*b*) in sub-section (3), for the words " one per cent " the words " one and half per cent " shall be substituted.

Amendment of section 5, Madras Act I of 1959.

3. In section 5 of the principal Act, in clause (*b*), for the words " two per cent " the words " two and a half per cent " shall be substituted.

Amendment of section 23, Madras Act I of 1959.

4. In section 23 of the principal Act, for the words, " one per cent", the words " one and a half per cent " shall be substituted.

Amendment of the First Schedule to Madras Act I of 1959.

5. In the First Schedule to the principal Act,—

(*a*) in items 1 to 14 (both inclusive), for the figures " 10 " in column (4) the figures " 11 " shall be substituted ;

(*b*) in item 15, for the figure " ½ " in column (4), the figure " 1 " shall be substituted ;

(*c*) in items 16, 17, 18 and 19, for the figure " 2 " in column (4), the figures " 2½ " shall be substituted ;

(*d*) in items 21, 24, 30 and 62, for the figure " 3 " in column (4), the figures " 3½ " shall be substituted ;

(*e*) in items 31, 32, 34, 35, 36, 37 and 38, for the figure " 5 " in column (4), the figures " 5½ " shall be substituted ;

(*f*) in items 40, 41, 43, 45, 47, 50, 51, 53, 55 and 57, for the figure " 6 " in column (4), the figures " 6½ " shall be substituted ;

(*g*) in items 59 and 60, for the figure " 1 " in column (4), the figures "1½" shall be substituted ;

(*h*) after item 63, the following items and entries shall be added, namely :—

" 64	Aluminium ingots ..	At the point of first sale in the State.	..	5½
65	Caustic soda ..	Do.	..	5½."

Amendment of the Second Schedule to Madras Act I of 1959.

6. In the Second Schedule to the principal Act, in sub-item (*c*) of item 6, for the figure " 1 " in column (4) the figures " 1½ " shall be substituted.

7. Where the rate of tax payable under the principal Act has been reduced by a notification issued or deemed to have been issued under sub-section (1) of section 17 of the principal Act, the rate of tax so reduced shall stand increased by half a per cent of the taxable turnover, or turnover, as the case may be, with effect on and from the date of coming into force of this Act ;

Special provision in respect of rate of tax reduced under section 17 (1).

Provided that nothing in this section shall affect the power of the State Government to reduce under sub-section (1) of section 17 of the principal Act the rate of tax increased as aforesaid.

THE MADRAS HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS (SECOND AMENDMENT) ACT, 1665.

[*Received the assent of the Governor on the* 21*st November*, 1965. *Published in the Fort St. George Gazette*, (Extraordinary) *Part IV, Section* 4, *page*, 165, *dated the* 24*th November*, 1965.]

ACT No. XXXI OF 1965.

An Act further to amend the Madras Hindu Religious and Charttiable Endowments Act 1959.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title.

1. This Act may be called THE MADRAS HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS (SECOND AMENDMENT) ACT, 1965.

Amendment of Schedule to Madras Act XXII of 1959.

2. In the Madras Hindu Religious and Charitable Endowments Act, 1959 (Madras Act XXII of 1959), the entries specified under the heading " Proper fee " in column (3) of the Schedule to the said Act against the sections specified in column (1) of the Table below shall be amended in the manner specified in column (2) of the said Table.

THE TABLE.

Section.	*Amendment.*
(1)	(2)
47 (4)	For the figure " 5 ", the figures " 10 " shall be substituted.
90 (4) (*a*)	For the figure " 5 ", the figures " 20 " shall be substituted.
21	For the figure " 5 ", the figures " 10 " shall be substituted.
59 (1)	For the figure " 5 ", the figures " 10 " shall be substituted.
63	For the figure " 5 ", the figures " 15 " shall be substituted.
66 (1)	For the figure " 5 ", the figures " 25 " shall be substituted.
66 (2)	For the figure " 5 ", the figures " 25 " shall be substituted.
69 (3)	For the figure " 5 ", the figures " 25 " shall be substituted.
72 (6)	For the figure " 5 ", the figures " 25 " shall be substituted.
75-C (3)	For the figure " 5 ", the figures " 25 " shall be substituted.
114	For the figure " 5 ", the figures " 25 " shall be substituted.
118 (2) (*c*) (in the two places where it occurs)	For the figure " 5 ", the figures " 25 " shall be substituted.
22 (5)	For the figure " 5 ", the figures " 20 " shall be substituted.
26 (5)	For the figure " 5 ", the figures " 25 " shall be substituted.
34 (4)	For the figure " 5 ", the figures " 15 " shall be substituted.
53 (5)	For the figure " 5 ", the figures " 25 " shall be substituted.
54 (4)	For the figure " 5 ", the figures " 25 " shall be substituted.
58 (4) (in the two places where it occurs)	For the figure " 5 " the figures " 20 " shall be substituted.

Section.	Amendment.
(1)	(2)
59 (2)	.. For the figure " 5 ", the figures " 20 " shall be substituted.
69 (1)	.. For the figure " 5 ", the figures " 25 " shall be substituted.
86 (4)	.. For the figure " 5 " in the three places where it occurs, the figures " 10 " shall be substituted.
90 (4) (*b*)	.. For the figure " 5 " , the figures " 20 " shall be substituted

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THE MADRAS PRESERVATION OF PRIVATE FORESTS (CONTINUANCE) ACT, 1965.

[*Received the assent of the President on the* 30*th November*, 1965. *Published in the Fort St. George Gazette* (Extraordinary), *Part IV*, *Section* 4, *page* 167, *dated the* 1*st December*, 1965.]

ACT No. XXXII OF 1965.

An Act to provide for the continuance of the Madras Preservation of Private Forests Act, 1949.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title.

1. This Act may be called THE MADRAS PRESERVATION OF PRIVATE FORESTS (CONTINUANCE) ACT, 1965.

Madras Act XXVII of 1949 to be a permanent Act.

2. The Madras Preservation of Private Forests Act, 1949 (Madras Act XXVII of 1949) (hereinafter referred to as the principal Act) shall, as amended by this Act, become a permanent Act.

Amendment of preamble, Madras Act XXVII of 1949.

3. In the preamble to the principal Act, the words " pending further legislation " shall be omitted.

Amendment of section 1, Madras Act XXVII of 1949.

4. In section 1 of the principal Act—

(i) in the marginal note, for the words " application, commencement and duration," the words " application and commencement " shall be substituted ;

(ii) in sub-section (3), the words, figures and letters " and shall remain in force up to and inclusive of the 2nd December, 1965 " shall be omitted.

(iii) sub-section (3) shall be omitted.

Omission of sections 5 and 11, Madras Act XXVII of 1949.

5. Section 5 and section 11 of the principal Act shall be omitted.

THE MADURAI UNIVERSITY ACT, 1965.

[*Received the assent of the Governor on the* 7*th December*, 1965. *Published in the Fort St. George Gazette* (Extraordinary), *Part IV*, *Section* 4, *page* 169, *dated the* 8*th December*, 1965.]

ACT No. XXXIII OF 1965.

An Act to provide for the establishment and incorporation of a University at Madurai.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

CHAPTER I.

PRELIMINARY.

Short title, extent, application and commencement.

1. (1) This Act may be called THE MADURA UNIVERSITY ACT, 1965.

(2) It extends to the area comprising the district of Madurai, Ramanathapuram, Tirunelveli and Kanyakumari in the State of Madras.

(3) It applies to all colleges and institutions situate within the University area and affiliated to or approved by the University in accordance with the provisions of this Act or the statutes, ordinances and regulations made thereunder and also to all colleges and institutions deemed to be affiliated to or approved by the University under this Act.

(4) This section and sections 2, 3, 4, 5, 8, 9, 10 ,11, 12, 13, 14, 50, 51, 52 and 53 shall come into force at once and the rest of this Act shall come into force on such date as the Government may, by notification, appoint.

Definitions. 2. In this Act, unless the context otherwise requires,—

(*a*) " affiliated college " means any college within the University area affiliated to the University and providing courses of study for admission to the examinations for degrees of the University and includes a college deemed to be affiliated to the University under this Act ;

(*b*) " approved college " means any college within the University area approved by the University and providing courses of study for admission to the examinations for titles and diplomas and the Pre-University examination of the University and includes a college deemed to be approved by the University under this Act ;

(*c*) " college " means any college or any institution maintained or approved by or affiliated to the University and providing courses of study for admission to the examinations of the University ;

(*d*) " Government " means the State Government ;

(*e*) " hostel " means a unit of residence for the students of the University maintained or recognised by the University in accordance with the provisions of this Act and includes a hostel deemed to be recognised by the University under this Act ;

(*f*) " notified date " means the date specified in the notification issued by the Government under sub-section (4) of section 1 ;

(*g*) " post-graduate college " means a University college or an affiliated college within the University area providing post-graduate courses of study leading up to the post-graduate degrees of the University ;

(*h*) " prescribed " means prescribed by this Act or the statutes, ordinances or regulations ;

(*i*) " Principal " means the head of a college ;

(*j*) " professional college " means a college established or maintained by the University or affiliated to the university and providing courses of study leading up to the professional degrees of the University ;

(*k*) " registered graduate " means a graduate registered under this Act ;

(*l*) " statutes," " ordinances " and " regulations," mean respectively, the statutes, ordinances and regulations of the University made or continued in force under this Act ;

(*m*) " teachers " means such lecturers, leaders, assistant professors, professors and other persons giving instruction in University colleges or laboratories, in affiliated or approved colleges, or in hostels, and librarians as may be declared by the statutes to be teachers ;

(*n*) " teachers of the University " means persons appointed by the University to give instruction on its behalf ;

(*o*) " University " means the Madurai University ;

(*p*) " University area " means the area to which this Act extends under sub-section (2) of section 1 ;

(*q*) " University Centre " means any area within the University area recognized by the Government on the recommendation of the University and containing one or more colleges competent to engage in higher teaching and research work and

to promote University life in a manner calculated to prepare for the institution of a new University ;

(*r*) " University college " means a college or a college combined with a research institute maintained by the University (whether instituted by it or not) and providing courses of study leading up to the post-graduate and professional degrees ;

(*s*) " University laboratory " means a laboratory maintained by the University whether instituted by it or not and intended for the carrying on and advancement of research work ;

(*t*) " University Lecturer," " University Reader " or "University Professor " means Lecturer, Reader or Professor respectively appointed as such by the University ;

(*u*) " University library " means a library maintained by the University whether instituted by it or not.

CHAPTER II.

THE UNIVERSITY.

The University.

3. (1) There shall be a University by the name " the Madurai University."

(2) The Madurai University shall be a body corporate, shall have perpetual succession and a common seal and shall sue and be sued by the said name.

(3) The headquarters of the University shall be located within the two limits of Madurai or in any place within a radius of twenty-five kilometres around the town limits of Madurai.

Powers of the University.

4. The University shall have the following objects and powers, namely :—

(1) to provide for instruction and training in such branches of learning as it may determine ;

(2) to provide for research and for the advancement and dissemination of knowledge ;

(3) to institute degrees, titles, diplomas and other academic distinctions ;

(4) to hold examinations and to confer degrees, titles, diplomas and other academic distinctions on persons who—

(*a*) shall have pursued an approved course of study in a University college or laboratory or in an affiliated or approved college, unless exempted therefrom in the manner prescribed by the statutes and shall have passed the prescribed examinations of the University ; or

(*b*) shall have carried on research under conditions prescribed ;

(5) to confer honorary degrees or other distinctions under conditions prescribed ;

(6) to institute, maintain and manage institutes of research, University colleges and laboratories, libraries, museums and other institutions necessary to carry out the objects of the Univerity.

(7) to affiliate colleges to the University as affiliated, professional or post-graduate colleges under conditions prescribed and to withdraw affiliation from colleges ;

(8) to approve colleges providing courses of study for admission to the examinations for titles and diplomas and Pre-University examination of the University under conditions prescribed and to withdraw such approval.

(9) to institute lecturerships, readerships, professorships and any other teaching post required by the University and to appoint persons to such lecturerships, readerships, professorships and other teaching posts ;

(10) to institute and award fellowships, travelling fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes ;

(11) to establish, maintain and manage hostels, to recognize hostels not maintained by the University and to withdraw recognition therefrom ;

(12) to exercise such control over the students of the University through the colleges as will secure their health and well-being and discipline ;

(13) to hold and manage endowments and other properties and funds of the University and to raise loans required for the purposes of this Act ;

(14) to fix fees and to demand and receive such fees as may be prescribed ;

(15) to make grants from the funds of the University for the maintenance of a National Cadet Corps ;

(16) to institute and maintain a University Extension Board ;

(17) to institute and provide funds for the maintenance of—

(*a*) a publication bureau ;

(*b*) an employment bureau ;

(*c*) students' unions ;

(*d*) University athletic clubs ; and

(*e*) other similar associations ;

(18) to encourage co-operation among the colleges, laboratories and institutes in the University and co-operate with other Universities and other authorities in such manner and for such purposes as the University may determine;

(19) to recommend to the Government the recognition of any area within the University area as a University Centre ; and

(20) general to do all such other acts and things as may be necessary or desirable to further the objects of the University.

Colleges not to be affiliated to any other University.

5. No college within the University area shall be affiliated to any University other than the Madurai University.

Disqualification for membership.

6. (1) No person shall be qualified for election as a member of any of the authorities of the University, if, on the date of nomination or election, he is—

(*a*) of unsound mind, a deaf-mute or suffering from leprosy ;

(*b*) an applicant to be adjudicated insolvent or an undischarged insolvent ;

(*c*) sentenced by a criminal Court to imprisonment for any offence involving moral turpitude.

(2) In case of dispute or doubt the Syndicate shall determine whether a person is disqualified under sub-section (1) and its decision shall be final.

Visitation.

7. (1) The Government shall have the right to cause an inspection to be made, by such person or persons as they may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment, and of any institutions maintained, recognized or approved by, or affiliated to, the University and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in respect of any matter connected with the University. The Government shall in every case give notice to the University of their intention to cause such inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The Government shall communicate to the Senate and to the Syndicate their views with reference to the results of such inspection or inquiry and may after ascertaining the opinion of the Senate and the Syndicate thereon, advise the University upon the action to be taken.

(3) The Syndicate shall report to the Government the action, if any, which is proposed to be taken, or has been taken, upon the results of such inspection or inquiry. Such report shall be submitted with the opinion of the Senate thereon and within such time as the Government may direct.

(4) Where the Senate or the Syndicate does not within a reasonable time take action to the satisfaction of the Government, the Government may, after considering any explanation furnished or representation made by the Senate or

the Syndicate, issue such directions as they may think fit and the Senate and the Syndicate shall comply with such directions. In the event of the Senate or the Syndicate or both not complying with such directions within such time as may be fixed in that behalf by the Government, the Government shall have power to appoint any person or body to comply with such directions and make such orders as may be necessary for the expenses thereof.

Officers of the University

8. The University shall consist of the following officers, namely :—

(1) The Chancellor ;

(2) The Pro-Chancellor ;

(3) The Vice-Chancellor ;

(4) The Registrar ; and

(5) Such other persons as may be declared by the statutes to be officers of the University.

The Chancellor.

9. (1) The Governor of Madras shall be the Chancellor of the University. He shall, by virtue of his office, be the head of the University and the President of the Senate and shall, when present, preside at meetings of the Senate and at any convocation of the University.

(2) The Chancellor shall exercise such powers as may be conferred on him by or under this Act.

(3) Where power is conferred upon the Chancellor to nominate persons to authorities, the Chancellor shall, to the extent necessary, nominate persons to represent interests not otherwise adequately represented.

The Pro-Chancellor.

10. (1) The Minister-in-charge of the portfolio of Education in the State of Madras shall be the Pro-Chancellor of the University.

(2) In the absence of the Chancellor, or during the Chancellor's inability to act, the Pro-Chancellor shall exercise all the powers of the Chancellor.

The Vice-Chancellor.

11. (1) Every appointment of the Vice-Chancellor shall be made by the Chancellor from out of a panel of three names recommended by the Committee referred to in sub-section (2). Such panel shall not contain the name of any member of the said Committee.

(2) For the purpose of sub-section (1), the Committee shall consist of three persons of whom one shall be nominated by the Senate, one shall be nominated by the Syndicate and one shall be nominated by the Chancellor.

Provided that the person so nominated shall not be a member of any of the authorities of the University.

(3) The Vice-Chancellor shall hold office for a period of three years and shall be eligible for re-appointment for not more than two successive terms.

(4) When any temporary vacancy occurs in the office of the Vice-Chancellor or if the Vice-Chancellor is, by reason of absence or for any other reason, unable to exercise the powers and perform the duties of his office, the Syndicate shall, as soon as possible, make the requisite arrangements for exercising the powers and performing the duties of the Vice-Chancellor.

(5) The Vice-Chancellor shall be a whole-time officer of the University and shall be entitled to such emoluments, allowances and privileges as may be prescribed by the statutes.

Powers and duties of the Vice-Chancellor.

12. (1) The Vice-Chancellor shall be the academic head and the principal executive officer of the University and shall, in the absence of the Chancellor and Pro-Chancellor, preside at meetings of the Senate and at any convocation of the University. He shall be a member *ex-officio* and Chairman of the Syndicate, the Academic Council and the Finance Committee

and shall be entitled to be present at and to address any meeting of any authority of the University but shall not be entitled to vote thereat unless he is a member of the authority concerned.

(2) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, the statutes, ordinances and regulations are observed and carried out and he may exercise all powers necessary for this purpose.

(3) The Vice-Chancellor shall have power to convene meetings of the Senate, the Syndicate, the Academic Council and the Finance Committee.

(4) (*a*) In any emergency which in the opinion of the Vice-Chancellor requires that immediate action should be taken, he may take such action with the sanction of the Chancellor or the Pro-Chancellor, as the case may be, and shall as soon as may be thereafter report his action to the officer or authority who or which would have ordinarily dealt with the matter.

(*b*) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University, such person shall be entitled to prefer an appeal to the Syndicate within thirty days from the date on which he has notice of such action.

(5) The Vice-Chancellor shall give effect to the orders of the Syndicate regarding the appointment, suspension and dismissal of the teachers and servants of the University and shall exercise general control over the affairs of the University.

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed.

The Registrar.

13. (1) The Registrar shall be a whole-time paid officer of the University appointed by the Syndicate for such period and on such terms as may be prescribed by the statutes.

(2) The Registrar shall exercise such powers and perform such duties as may be prescribed.

(3) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.

Authorities of the University.

14. The authorities of the University shall be the Senate, the Syndicate' the Academic Council, the Faculties, the Finance Committee, the Boards of Studies and such other authorities as may be declared by the statutes to be authorities of the University.

CHAPTER III.

THE SENATE—POWERS AND DUTIES.

The Senate.

15. (*a*) The Senate shall consist of the following persons, namely :—

Class I—Ex-Officio Members—

(1) The Chancellor ;

(2) The Pro-Chancellor ;

(3) The Vice-Chancellor ;

(4) The Secretary to Government in charge of Education ;

(5) The Director of Higher Education, Madras ;

(6) The Director of Secondary Education, Madras ;

(7) The Director of Technical Education, Madras ;

(8) The Principals of affiliated colleges who have served as Principals for not less than three years ;

(9) Every whole-time University Professor in charge of a Department ; and

(10) Members of the Syndicate who are not otherwise members of the Senate.

Class II—Life Members—

(1) Such number of persons not exceeding three as may be nominated by the Chancellor to be life members on the ground that they have rendered eminent services to education ;

(2) All persons who make a donation of not less than Rs. 50,000 for the general purposes of the University.

Class III—Other Members—

(1) Fifteen members elected by registered graduates from among themselves in accordance with the system of proportional representation by means of the single transferable vote ;

(2) Five members elected by the Academic Council from among its own body, of whom not less than three shall be teachers of affiliated colleges ;

(3) Four members elected by the members of the Legislative Assembly of the State of Madras from among themselves ; and two members elected by the members of the Legislative Council of that State from among themselves ;

(4) Three members elected by the Principals of approved colleges from among themselves in accordance with the system of proportional representation by means of the single transferable vote ;

(5) One member elected from among themselves by headmastesr of high schools in each revenue district in the University area ;

(6) One member elected by the Chairmen of municipal councils and of panchayat union councils in each revenue district in the University area from among such Chairmen and the members of municipal councils, panchayat union councils and panchayats in such revenue district ; and

(7) Ten members nominated by the Chancellor of whom not less than five shall be nominated to secure the representation of the Scheduled Castes and Scheduled Tribes not otherwise adequately represented.

(*b*) Save as otherwise provided, elected and nominated members of the Senate shall hold office for a period of three years :

Provided, however, that no member elected in his capacity as a member of a particular electorate shall hold office for a longer period than three months after he has ceased to be such member unless meanwhile he again becomes a member of that electorate :

Provided also that where an elected or nominated member of the Senate is appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Senate, *ex-officio*, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Senate by virtue of his election or nomination or whether he will vacate office as such member and become a member *ex-officio* by virtue of his appointment and the choice shall be conclusive. On failure to make such choice, he shall be deemed to have vacated his office as an elected or nominated member.

(*c*) When a person ceases to be a member of the Senate he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Senate.

The Senate to be the supreme governing body.

16. The Senate shall be the supreme governing body of the University and shall have power to review the action of the Syndicate and of the Academic Council save where the Syndicate and the Academic Council have acted in accordance with powers conferred on them by this Act, the statutes, the ordinances or the regulations and shall exercise all the powers of the University not otherwise provided for and all powers requisite to give effect to the provisions of this Act :

Provided that if any question arises whether the Syndicate or the Academic Council has acted in accordance with such powers as aforesaid or not, the question shall be decided by a resolution passed by not less than two-thirds of the number

of members present and voting at a meeting of the Senate and the decision thereon shall be final.

Powers of the Senate.

17. In particular and without prejudice to the generality of the powers conferred by section 16, the Senate shall have the following powers, namely :—

(1) to make statutes and amend or repeal the same ;

(2) to modify or cancel ordinances and regulations in the manner prescribed by this Act ;

(3) to co-operate with other Universities, other academic authorities and colleges in such manner and for such purposes as it may determine ;

(4) to provide for instruction and training in such branches of learning as it may think fit ;

(5) to institute and maintain institutes of research, University colleges, University laboratories, libraries and museums ;

(6) to prescribe in consultation with the Academic Council the conditions for approving colleges or institutions in which provision is made for courses of study for admission to the Pre-University examination or for the preparation of students for titles or diplomas of the University and to withdraw such approval ;

(7) to provide for research and advancement and dissemination of knowledge ;

(8) to institute, after consultation with the Academic Council, lecturerships, readerships, professorships and any other teaching posts required by the University;

(9) to prescribe in consultation with the Academic Council, the conditions for affiliating colleges to the University and to withdraw affiliation from colleges ;

(10) to provide after consultation with the Academic Council such lectures and instructions for students of University colleges, affiliated colleges and approved colleges as the Senate may determine and also to provide for lectures and instructions to persons not being students of colleges and to grant diplomas to them ;

(11) to provide for the inspection of all colleges and hostels ;

(12) to institute degrees, titles, diplomas and other academic distinctions ;

(13) to confer degrees, titles, diplomas and other academic distinctions on persons who—

(*a*) shall have pursued an approved course of study in a University college or laboratory or in an affiliated or approved college or have been exempted therefrom in the manner prescribed and shall have passed the prescribed examinations of the University ; or

(*b*) shall have carried on research under conditions prescribed ;

(14) to confer honorary degrees or other distinctions on the recommendation of not less than two-thirds of the members of the Syndicate ;

(15) to establish and maintain hostels ;

(16) to institute, after consultation with the Academic Council, fellowships, travelling fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes ;

(17) to prescribe the fees to be charged for the approval and affiliation of colleges, for admission to the examinations, degrees and diplomas of the University, for the registration of graduates, for the renewal of such registration and for all or any of the purposes specified in section 4 ;

(18) to consider and take such action as it may deem fit on the annual report, the annual accounts and the financial estimates ;

(19) to institute, after consultation with the Academic Council, a University Extension Board and to maintain it ;

(20) to institute after consultation with the Academic Council, a Publication Bureau, Students' Unions, Employment Bureau and University Athletic Clubs and to maintain them ;

(21) to enter into any agreement with the Central or any State Government or with a private management for assuming the management of any institution and for taking over its properties and liabilities or for any other purposes not repugnant to the provisions of this Act ;

(22) to make statutes regulating the method of election to the authorities of the University and the procedure at the meeting of the Senate, Syndicate and other authorities of the University and the quorum of members required for the transaction of business by the authorities of the University other than the Senate ;

(23) to recommend to the Government the recognition of any area within the University area as University Centre ; and

(24) to delegate such of its powers as it may deem fit to any authority or authorities of the University constituted under this Act.

Meetings of the Senate.

18. (1) The Senate shall meet at least twice a year on dates to be fixed by the Vice-Chancellor. One of such meetings shall be called the annual meeting. The Senate may also meet at such other times as it may, from time to time, determine.

(2) Twenty members of the Senate shall be the quorum required for a meeting of the Senate :

Provided that such quorum shall not be required at a convocation of the University or a meeting of the Senate, held for the purpose of conferring degrees, titles, diplomas or other academic distinctions.

(3) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than thirty members of the Senate, convene a special meeting of the Senate.

CHAPTER IV.

THE SYNDICATE.

The Syndicate.

19. (*a*) The Syndicate hall, in addition to the Vice-Chancellor, consist of the following persons, namely :—

Class I—Ex-Officio Members.

(1) The Director of Higher Education, Madras ; and

(2) The Director of Technical Education, Madras.

Class II—Other Members.

(1) Four members elected by the Senate from among its members ;

(2) Three members elected by the Academic Council from among its members of whom two shall be teachers of affiliated colleges and the remaining shall be a person other than a teacher of an affiliated college ; and

(3) Two members nominated by the Chancellor :

Provided that no whole-time University Lecturer, University Reader, University Professor or whole-time teacher of the University shall be eligible for election or nomination as a member of the Syndicate.

(*b*) Save as otherwise provided, elected and nominated members of the Syndicate shall hold office for a period of three years :

Provided, however, that no member elected in his capacity as a member of a particular electorate shall hold office for a longer period than three months after he has ceased to be such member, unless meanwhile he again becomes a member of that electorate :

Provided also that where an elected or nominated member of the Syndicate is appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Syndicate *ex-officio*, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Syndicate by virtue of his election or nomination or whether he will vacate

office as such member and become a member *ex-officio* by virtue of his appointment and the choice shall be conclusive. On failure to make such choice, he shall be deemed to have vacated his office as an elected or nominated member :

Provided also that a member of the Syndicate shall cease to be a member if he subsequently becomes a whole-time University Lecturer, University Reader, University Professor or whole-time teacher of the University.

(*c*) When a person ceases to be a member of the Syndicate, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Syndicate.

Powers of the Syndicate.

20. The Syndicate shall have the following powers, namely :—

(1) to make ordinances and amend or repeal the same ;

(2) to hold, control and administer the properties and funds of the University ;

(3) to direct the form, custody and use of the common seal of the University ;

(4) to regulate and determine all matters concerning the University in accordance with this Act, the statutes, the ordinances and the regulations ;

(5) to frame the financial estimates of the University and submit the same to the Senate ;

(6) to administer all properties and funds placed at the disposal of the University for specific purposes ;

(7) to appoint the University Lecturers, University Readers, University Professors and the teachers and the servants of the University, fix their emoluments, if any, define their duties and the conditions of their services and provide for filling up of temporary vacancies ;

(8) to suspend and dismiss the University Lecturers, University Readers and University Professors and the teachers and the servants of the University ;

(9) to accept on behalf of the University endowments, bequests, donations grants and transfers of any movable and immovable properties made to it provided that all such endowments, bequests, donations, grants and transfers shall be reported to the Senate at its next meeting ;

(10) to raise on behalf of the University loans from the Central or any State Government or the University Grants Commission or the public or any corporation owned or controlled by the Central or any State Government required for the purposes of this Act ;

(11) to affiliate colleges within the University area to the University and to recognise colleges as approved colleges ;

(12) to recognise hostels not maintained by the University and to suspend or withdrawal recognition of any hostel which may not be conducted in accordance with the ordinances and the conditions imposed thereunder ;

(13) to arrange for and direct the inspection of all University colleges, affiliated and approved colleges and hostels ;

(14) to prescribe, in consultation with the Academic Council, the qualifications of teachers in University colleges, affiliated and approved colleges and hostels ;

(15) to award fellowships, travelling fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes in accordance with the statutes ;

(16) to charge and collect such fees as may be prescribed ;

(17) to conduct the University examinations and approve and publish the results thereof ;

(18) to make ordinances regarding the admission of students to the University or prescribing examinations to be recognised as equivalent to University examinations ;

(19) to appoint members to the Boards of Studies ;

(20) (i) to appoint examiners after consideration of the recommendations of the Boards of Studies ; and

(ii) to fix their remuneration ;

(21) to supervise and control the residence and discipline of the students of the University and make arrangements through the colleges for securing their health and well-being ;

(22) to manage University centres, University colleges and laboratories, libraries, museums, institutes of research, and other institutions established or maintained by the University ;

(23) to manage hostels instituted by the University ;

(24) to regulate the working of the University Extension Board ;

(25) to manage any publication bureau, students' unions, employment bureau and University athletic clubs instituted by the University ;

(26) to review the instruction and teaching of the University ;

(27) to promote research within the University and to require reports from time to time of such research ;

(28) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, or the statutes, ordinances or regulations; and

(29) to delegate any of its powers to the Vice-Chancellor, to a committee from among its own members or to a committee appointed in accordance with the statutes.

Annual Report.

21. The annual report of the University shall be prepared by the Syndicate and shall be submitted to the Senate on or before such date as may be prescribed by the statutes and shall be considered by the Senate at its next annual meeting. The Senate may pass resolutions thereon and communicate the same to the Syndicate, which shall take action in accordance therewith. The Syndicate shall inform the Senate of the action taken by it. A copy of the report with a copy of the resolutions thereon, if any, of the Senate shall be submitted to the Government for information.

Annual Accounts.

22. (1) The annual accounts of the University shall be prepared by the Syndicate and shall be submitted to such examination and audit as the Government may direct.

(2) The University shall settle objections raised in such audit and carry out such instructions as may be issued by the Government on the audit report.

(3) The accounts when audited shall be published by the Syndicate in such manner as may be prescribed by the ordinances and copies thereof shall be submitted to the Senate at its next meeting and to the Government within three months of such publication.

(4) The Syndicate shall also prepare before such date as may be prescribed by the statutes the financial estimates for the ensuing year.

(5) The annual accounts and the financial estimates prepared by the Syndicate shall be placed before the Senate with the remarks of the Finance Committee for approval at its annual meeting and the Senate may pass resolutions with reference thereto and communicate the same to the Syndicate which shall take action in accordance therewith.

CHAPTER V.

THE ACADEMIC COUNCIL, THE FACULTIES, THE BOARDS OF STUDIES, THE FINANCE COMMITTEE AND OTHER AUTHORITIES.

The Academic Council.

23. The Academic Council shall be the academic authority of the University and shall, subject to the provisions of this Act and the statutes, have the control and general regulation of teaching and examination within the University and be responsible for the main-

tenance of the standards thereof and shall exercise such other powers and perform such other duties as may be prescribed.

Constitution of the Academic Council.

24. (*a*) The Academic Council shall, in addition to the Vice-Chancellor, consist of the following persons, namely :—

Class I—Ex-officio members—

(1) The Director of Higher Education, Madras ;

(2) The Director of Secondary Education, Madras ;

(3) The Director of Technical Education, Madras ;

(4) The heads of University Departments of Study and Research ;

(5) Members of the Syndicate who are not otherwise members of the Academic Council ;

(6) The Librarian of the University Library ;

(7) The Principals of post-graduate colleges and professional colleges excluding training colleges ;

(8) The Principals of all other affiliated colleges excluding training colleges, who have served as principals for not less than three years ;

Class II—Other members—

(1) Two members elected by the Senate from among its members who are not engaged in teaching ;

(2) Two members elected by the teachers of affiliated training colleges including principals and physical directors but excluding tutors, demonstrators and physical instructors of such colleges, from among themselves ;

(3) Two members elected by the teachers of approved colleges including principals and physical directors but excluding tutors, demonstrators and physical instructors of such colleges, from among themselves ;

(4) One member from each post-graduate college who is not the principal of such college elected by the teachers of the college including physical directors but excluding the principal, tutors, demonstrators and physical instructors, from among themselves ;

(5) One member from each professional college who is not the principal of such college elected by the teachers of the college including physical directors but excluding the principal, tutors, demonstrators and physical instructors, from among themselves ;

(6) One member elected by headmasters of high schools in each revenue district in the University area from among themselves ;

(7) Six members nominated by the Chancellor on the recommendation of the Vice-Chancellor to represent Tamil, Sanskrit, Hindi and other languages ;

(8) One member nominated by the Chancellor on the recommendation of the Vice-Chancellor to represent physical education ; and

(9) Such number of members not exceeding five as may be nominated by the Chancellor from among the teachers of colleges other than post-graduate and professional colleges in the University area.

(*b*) Save as otherwise provided, the elected and nominated members of the Academic Council shall hold office for a period of three years :

Provided, however, that no member elected in his capacity as a member of a particular electorate shall hold office for a longer period than three months after he has ceased to be such member unless meanwhile he again becomes a member of that electorate :

Provided also that where an elected or nominated member of the Academic Council is appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Academic Council *ex-officio*, he shall by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from

the date of his taking charge of his appointment choose whether he will continue to be a member of the Academic Council by virtue of his election or nomination or whether he will vacate office as such member and become a member *ex-officio* by virtue of his appointment and the choice shall be conclusive. On failure to make such choice, he shall be deemed to have vacated his office as an elected or nominated member :

Provided also that a member elected under clause (1) of Class II of sub-section (*a*) shall cease to be a member of the Academic Council if he subsequently becomes engaged in teaching.

(*c*) When a person ceases to be a member of the Academic Council, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Academic Council.

Powers of the Academic Council.

25. Subject to the provisions of this Act, the Academic Council shall have the following powers, namely :—

(*a*) to make regulations and amend or repeal the same ;

(*b*) to advise the Senate and the Syndicate on all academic matters ;

(*c*) to make proposals to the Senate and the Syndicate for the institution of lectureships, readerships, professorships or other teaching posts and in regard to the duties and emoluments thereof ;

(*d*) to make regulations regarding the special courses of study or division of subjects in University colleges and laboratories and affiliated and approved colleges ;

(*e*) to make regulations for the encouragement of co-operation and reciprocity among University colleges and laboratories and affiliated and approved colleges with a view to promoting academic life ;

(*f*) to make regulations regarding courses of study, examinations and the conditions on which students of University colleges and laboratories and of affiliated and approved colleges shall be admitted to examinations of the University ;

(*g*) to constitute Faculties in Arts, Science, Law, Medicine, Engineering, Technology, Teaching, Agriculture, Commerce, Indian and other languages, Indian System of Medicine, Fine Arts, Veterinary Science and such other subjects as may be prescribed ;

(*h*) to make proposals to the Syndicate for the framing of ordinances for the management of University colleges and laboratories, libraries, museums and institutes of research, hostels instituted by the University and other institutions established by the University ;

(*i*) to recommend to the Senate schemes for the constitution or reconstitution of departments of teaching ;

(*j*) to advise the Syndicate on the promotion of research in the University ;

(*k*) to receive and to call for and to consider reports from the Syndicate reviewing the instruction and teaching of the University and the research work done in the University; and

(*l*) to appoint a standing committee of which not less than one-third shall be members of the Academic Council who are principals or teachers of affiliated colleges and to delegate to it such of its powers as it may deem fit.

Constitution and functions of Faculties.

26. (1) The University shall include Faculties of Arts, Science, Law, Medicine, Engineering, Technology, Teaching, Agriculture, Commerce, Indian and other languages, Indian System of Medicine, Veterinary Science, Fine Arts, and such other Faculties as may be prescribed by the statutes.

(2) Each Faculty shall comprise such departments of teaching as may be prescribed by the ordinances.

(3) The constitution and functions of the Faculties shall in all other respects be such as may be prescribed by the regulations :

Provided that not less than three-fourths of the total number of members of every Faculty shall be members of the Academic Council.

(4) Notwithstanding anything contained in sub-section (3), the Academic Council may, on the recommendation of the Syndicate, appoint any teacher of the University as a member of a Faculty.

The Boards of Studies.

27. There shall be Boards of Studies attached to each Department of teaching. The constitution and powers of the Boards of Studies shall be such as may be prescribed by the ordinances.

Constitution of other authorities.

28. The constitution of such other bodies as may be declared by the statutes to be authorities of the University shall be provided for in the manner prescribed.

Finance Committee.

29. (1) The Finance Committee shall consist of the following five members, namely :—

(i) The Vice-Chancellor ;

(ii) The Secretary to Government in-charge of Education ;

(iii) Three members nominated by the Syndicate from among its members.

(2) If for any reason the officer referred to in clause (ii) of sub-section (1) is unable to attend any meeting of the Finance Committee, he may depute any officer of the Department to attend such meeting. The officer so deputed shall have the right to take part in the discussions of the Committee and shall have the right to vote.

(3) (i) The Syndicate shall, in the manner prescribed by the ordinances, prepare the financial estimates of the University and place the same before the Finance Committee.

(ii) The Finance Committee shall then scrutinise the said estimates and may make such modifications therein as it considers necessary.

(iii) The said estimates, as modified by the Finance Committee, shall then be laid before the Syndicate for consideration. The Syndicate may accept the modifications made by the Finance Committee and place the estimates as so modified before the Senate for approval or it may refuse to accept the modifications, in which case, it shall place before the Senate the estimates, the modifications made or the objections raised by the Finance Committee and the reasons for the non-acceptance. The Senate shall consider the estimates so laid before it and shall sanction the same either without modification or with such modifications as it thinks fit :

Provided that the Senate shall not make any modifications in the estimates which have the effect of increasing the estimates of expenditure or reducing the estimates of income.

CHAPTER VI.

STATUTES, ORDINANCES AND REGULATIONS.

Statutes.

30. Subject to the provisions of this Act, the statutes may provide for all or any of the following matters, namely—

(*a*) the constitution or reconstitution, powers and duties of the authorities of the University ;

(*b*) the conditions of recommendation by the Senate of areas to be recognised by the Government as University Centres ;

(*c*) the conditions of recognition of approved colleges and of affiliation to the University of affiliated colleges ;

(*d*) the institution and maintenance of University colleges and laboratories and hostels :

(*e*) the powers, duties and conditions of service of the officers of the University other than the Chancellor and the Pro-Chancellor ;

(*f*) the holding of convocations to confer degrees ;

(*g*) the conferment of honorary degrees ;

(*h*) the administration of endowments and the institution and conditions of award of fellowships, travelling fellowships, scholarships, studentships, bursaries exhibitions, medals and prizes ;

(*i*) the classification and the mode of appointment of the teachers of the University ;

(*j*) the institution of pension, gratuity or provident fund for the benefit of the teachers of the University or its servants ;

(*k*) the maintenance of a register of registered graduates ; and

(*l*) all other matters which by this Act may be prescribed by the statutes.

Statutes, how made. 31. (1) The Senate may of its own motion take into consideration the draft of any statute :

Provided that in any such case before a statute is passed affecting the powers or duties of any officer or authority, the opinion of the Syndicate and a report from the person or authority concerned shall have been taken into consideration by the Senate.

(2) The Syndicate may propose to the Senate the draft of any statute. Such draft may be considered by the Senate at its next succeeding meeting. The Senate may approve such draft and pass the statute or may reject it or return it to the Syndicate for reconsideration either in whole or in part, together with any amendments which the Senate may suggest. After any draft so returned has been further considered by the Syndicate, together with any amendments suggested by the Senate, it shall be again presented to the Senate with the report of the Syndicate thereon, and the Senate may then deal with the draft in any manner it thinks fit.

(3) Where any statute has been passed by the Senate or a draft of a statute recommended by the Syndicate has been rejected by the Senate, it shall be submitted to the Chancellor who may refer the statute or draft back to the Senate for further consideration or in the case of a statute passed by the Senate assent thereto or withhold his assent. A statute passed by the Senate shall have no validity until it has been assented to by the Chancellor.

(4) The Syndicate shall not propose the draft of any statute or of amendment to a statute—

(*a*) affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion upon the proposal ; any opinion so expressed shall be in writing and shall be considered by the Senate and shall be submitted to the Chancellor ; or

(*b*) affecting the conditions of affiliation or approval of affiliated or approved colleges with the University or by the University, as the case may be,

except after consultation with the Academic Council.

Ordinances. 32. Subject to the provisions of this Act and the statutes, the ordinances may provide for all or any of the following matters, namely :—

(*a*) the admission of students to the University and the levy of fees in University colleges and laboratories ;

(*b*) the conditions of residence of the students of the University and the levy of fees for residence in hostels maintained by the University ;

(*c*) the conditions of recognition of hostels not maintained by the University.

(*d*) the qualifications and emoluments of teachers of the University ;

(*e*) the fees to be charged for courses of teaching given by teachers of the University and for tutorial and supplementary instruction given by the University ;

(*f*) the conditions subject to which persons who may hereafter be permanently employed may be recognised as qualified to give instruction in affiliated and approved colleges and hostels ;

(*g*) the appointment and duties of examiners ;

(*h*) the conduct of examinations ;

(*i*) the extension of University teaching in the town limits of Madurai and elsewhere in the University area ; and

(*j*) all other matters which by this Act or by the statutes may be provided for by the ordinances.

Ordinances, how made.

33. (1) In making ordinance the Syndicate shall consult—

(i) the Boards of Studies when such ordinances affect the appointment and duties of examiners ; and

(ii) the Academic Council when they affect the conduct or standard of examinations, or the conditions of residence of students.

(2) All ordinances made by the Syndicate shall have effect from such date as it may direct, but every ordinance so made shall be submitted as soon as may be to the Chancellor and the Senate and shall be considered by the Senate at its next succeeding meeting. The Senate shall have power by a resolution passed by a majority of not less than two-thirds of the members present at such meeting to cancel or modify any such ordinance.

(3) The Chancellor may direct that the operation of any ordinance shall be suspended until such time as the Senate has had an opportunity of considering the same.

Regulations, how made.

34. (1) The Academic Council may make regulations consistent with this Act, the statutes and the ordinances to carry out the duties assigned to it thereunder.

(2) All such regulations shall have effect from such date as the Academic Council may direct ; but every regulation so made shall be submitted as soon as may be to the Senate for its consideration at its next succeeding meeting. The Senate shall have power, by a resolution passed by a majority of not less than two-thirds of the members present at such meeting, to cancel or modify any such regulation.

CHAPTER VII.

ADMISSION AND RESIDENCE OF STUDENTS.

Admission to University courses.

35. (1) No person shall be admitted to the Pre-University course or other entrance courses of study in the University unless he—

(i) has passed the Matriculation examination ; or

(ii) holds the Secondary School-Leaving Certificate and has been declared eligible by the Syndicate under conditions prescribed by the University authorities concerned for such course or courses of study ; or

(iii) has passed an examination of any other University or authority recognised by the Syndicate as equivalent to the examinations specified in clause (i) or clause (ii) ; and

(iv) fulfils such other conditions as may be prescribed by the Syndicate.

(2) No person shall be admitted to a course of study in the University for admission to the examination for degrees of the University in Arts and Science unless he—

(i) has passed the Pre-University examination of the University ; or

(ii) has passed an examination of any other University or authority recognised by the Syndicate as equivalent to the examination referred to in clause (i) ; and

(iii) fulfils such other conditions as may be prescribed by the Syndicate.

(3) No person shall be admitted to a course of study in the University for admission to the examination for a professional degree of the University unless he—

(i) has passed the relevant examination prescribed therefor by the Syndicate;

(ii) has obtained such minimum percentage of marks in such subject in the relevant examination as may be prescribed by the Syndicate; and

(iii) fulfils such other conditions as may be prescribed by the Syndicate.

(4) No person shall be admitted to any course of study for admission to the examinations for titles, diplomas, or certificates of the University unless he—

(i) has passed the entrance test prescribed therefor by the Syndicate; and

(ii) fulfils such other conditions as may be prescribed by the Syndicate.

(5) Every candidate for a University examination shall, unless exempted from the provisions of this sub-section by a special order of the Syndicate made on the recommendation of the Academic Council, be enrolled as a member of a University college or laboratory or of an affiliated or approved college. Any such exemption may be made subject to such conditions as the Syndicate may think fit.

(6) Students exempted from the provisions of sub-section (5) and students admitted, in accordance with the conditions prescribed, to courses of study other than courses of study for a degree shall be non-collegiate students of the University.

Admission to University examinations.

36. No candidate shall be admitted to any University examination unless he is enrolled as a member of a University college or laboratory or of an affiliated or approved college and has satisfied the requirements as to the attendance required under the regulations for the same or unless he is exempted from such requirement of enrolment or attendance or both by an order of the Syndicate passed on the recommendation of the Academic Council made under the regulations prescribed. Exemptions granted under this section shall be subject to such conditions as the Syndicate may think fit.

Attendance qualifying for University examinations.

37. No attendance at instruction given in and college or institution other than that conducted, affiliated or approved by the University shall qualify for admission to any examination of the University.

Residences and hostels.

38. Every student of the University other than the non-collegiate students shall be required to reside in a hostel or under such other conditions as may be prescribed.

CHAPTER VIII.

UNIVERSITY FUNDS.

Funds of the University.

39. The University shall have a fund to which shall be credited—

(1) its income from fees, endowments, grants, donations and gifts, if any; and

(2) any contribution by the Central Government, any State Government, the University Grants Commission or like authority, any local authority or any other corporation owned or controlled by the Government.

Transfer of Government institutions to the University.

40. The Government may at any time after the notified date transfer to the University the control and management of any of their institutions situate within the University area on such terms and conditions as they may deem proper.

CHAPTER IX.

MISCELLANEOUS.

Filling of casual vacancies.

41. All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled as soon as conveniently may be, by the person or body who or which nominated or elected the member

whose place has become vacant and the person nominated or elected to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member :

Provided that vacancies arising by efflux of time among elected members of any authority or other body of the University may be filled at elections which may be fixed by the Vice-Chancellor to take place on such days not earlier than two months from the date on which the vacancies arise, as he thinks fit :

Provided further that no casual vacancy shall be filled if such vacancy occurs within six months before the date of the expiry of the term of the members of any authority or other body of the University.

Proceedings of the University authorities and bodies not invalidated by vacancies, *etc.*

42. No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or of any defect or irregularity in the election or appointment of a member of any authority or other body of the University or of any defect or irregularity in such act or proceeding not affecting the merits of the case or on the ground only that the Senate did not meet twice in any year.

Removal from membership of the University.

43. (1) The Senate may,—

(*a*) on the recommendation of not less than two-thirds of the members of the Syndicate, remove by an order in writing made in this behalf the name of any person from the register of graduates ; or

(*b*) remove by an order in writing made in this behalf any person from membership of any authority of the University by a resolution passed by a majority of the total membership of the Senate and by a majority of not less than two-thirds of the members of the Senate present and voting at the meeting,

if such person has been convicted by a criminal Court for an offence which in the opinion of the Senate, involves moral turpitude or if he has been guilty of gross misconduct and for the same reason, may withdraw any degree or diploma conferred on or granted to that person by the University.

(2) The Senate may also by an order in writing made in this behalf remove any person from the membership of any authority of the University if he becomes of unsound mind or deaf-mute or suffers from leprosy or has applied to be adjudicated or has been adjudicated as an insolvent.

(3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken.

(4) A copy of every order passed under sub-section (1) or sub-section (2), as the case may be, shall, as soon as may be after it is so passed, be communicated to the person concerned in the manner prescribed by regulations.

Disputes as to constitution of University authorities and bodies.

44. If any question arises whether any person has been duly elected or nominated as, or is entitled to be a member of any authority of the University or other body of the University, the question shall be referred to the Chancellor whose decision thereon shall be final.

Constitution of committees.

45. All the authorities of the University shall have power to constitute or reconstitute committees and to delegate to them such of their powers as they deem fit; such committees shall, save as otherwise provided, consist of members of the authority concerned and of such other persons (if any) as the authority in each case may think fit.

Pension, gratuity, insurance and provident fund.

46. (1) The University shall institute for the benefit of the University Lecturers, University Readers, University Professors officers, teachers or servants of the University, such pension, gratuity, insurance and provident fund as it may deem fit in such manner and subject to such conditions as may be prescribed by ordinances.

(2) Where the University has so instituted a provident fund under sub-section (1), the Government may declare that the provisions of the Provident Fund Act, 1925 (Central Act XIX of 1925) shall apply to such fund as if the University were a local authority and the fund a Government provident fund.

Report on affiliated colleges.

47. The Senate shall, at the end of every five years from the notified date, submit a report to the Government on the condition of affiliated and approved colleges within the University area. The Government shall lay the report on the table of both Houses of the Legislature and shall take such action on it as they deem fit.

Power to obtain information.

48. Notwithstanding anything contained in this Act or any other law for the time being in force, the Government may by order in writing call for any information from the University on any matter relating to the affairs of the University and the University shall, if such information is available with it, furnish the Government with such information within a reasonable period :

Provided that in the case of information which the University considers confidential, the University may inform the Government that such information cannot be made available to the Government and shall place the same before the Chancellor.

Registration of graduates.

49. (1) On and after the notified date every person ordinarily resident within the University area, who—

(i) has been for at least three years a graduate of any University in the territory of India ; or

(ii) is a registered graduate of any University in the territory of India,

shall be entitled to have his name entered in the register of graduates maintained under this Act for a period of five years on payment of such fee and subject to such conditions as may be prescribed by the statutes.

(2) All applications for registration under sub-section (1) shall be sent to the Registrar together with the prescribed fee and such proof of qualifications as may be prescribed by the statutes.

(3) The Registrar shall on receipt of an application made under sub-section (2) and after making such enquiry as he deems fit enter in the register of graduates the name of the applicant.

(4) Every person whose name has been entered in the register of graduates under sub-section (3) shall be entitled to have such entry renewed every five years on application made in that behalf to the Registrar within such time, in such manner and on payment of such fee as may be prescribed by the Statutes.

Appointment of the first Vice-Chancellor.

50. Notwithstanding anything contained in sub-section (1) of section 11, within three months from the date of publication of this Act in the *Fort St. George Gazette*, the first Vice-Chancellor shall be appointed by the Chancellor on a salary to be fixed by him for a period not exceeding five years and on such other conditions as he thinks fit.

Appointment of the first Registrar.

51. Notwithstanding anything contained in sub-section (1) of section 13, within three months from the date of publication of this Act in the *Fort St. George Gazette*, the first Registrar shall be appointed by the Chancellor on a salary to be fixed by him for a period not exceeding three years and on such conditions as he thinks fit.

Appointment of the first University staff.

52. Notwithstanding anything contained in this Act the first Vice-Chancellor shall have power to appoint such officers and servants of the University as may be necessary subject to the sanction of the Chancellor.

Transitory powers of the Vice-Chancellor.

53. (1) It shall be the duty of the Vice-Chancellor to make arrangements for constituting the Senate, the Syndicate and the Academic Council and such other authorities of the University within six months after the notified date or such longer period not exceeding one year as the Government may, by notification direct.

(2) The Vice-Chancellor shall, with the assistance of an advisory committee nominated by the Chancellor, draw up any rules that may be necessary for regulating the method of election to those authorities subject to the provisions of this Act and the approval of the Chancellor.

(3) The authorities constituted under sub-section (1) shall commence to exercise their functions on such date or dates as the Government may, by notification, direct.

(4) It shall be the duty of the Vice-Chancellor to draft such statutes, ordinances and regulations as may be necessary and submit them to the respective authorities competent to deal with them for their disposal. Such statutes, ordinances and regulations when framed shall be published in the *Fort St. George Gazette.*

Transfer of service of certain employees of the University of Madras to the Madurai University.

54. (1) Every person who, immediately before the notified date is serving in connection with the affairs of the University of Madras in the University Centre at Madurai, shall, as from the said date, become an employee of the Madurai University and shall cease to be an employee of the University of Madras.

(2) (*a*) As soon as may be, after the notified date, the Government may, after consulting the Vice-Chancellors of the University of Madras and the Madurai University, direct by general or special order that such of the employees of the University of Madras as are specified in such order shall stand allotted to serve in connection with the affairs of the Madurai University with effect from such date as may be specified in such order:

Provided that no such direction shall be issued in respect of any such person without his consent for such allotment.

(*b*) With effect from the date specified in the order under clause (*a*), the persons specified in such order shall become employees of the Madurai University and shall cease to be employees of the University of Madras.

(3) Every person referred to in sub-section (1) or sub-section (2) shall hold office under the Madurai University by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension or gratuity, if any, and other matters as he would have held the same on the notified date or the date specified in the order under sub-section (2), as the case may be, if this Act had not been passed.

(4) The liability to pay pension and gratuity to the persons referred to in sub-sections (1) and (2) shall be the liability of the Madurai University.

Transfer of accumulations in provident fund and other like funds.

55. (1) The sums at the credit of the provident fund accounts of the persons referred to in sub-section (1) of section 54 as on the notified date and of the persons referred to in sub-section (2) of that section as on the date specified in the order under clause (*a*) of the said sub-section (2) shall be transferred to the Madurai University and the liability in respect of the said provident fund accounts shall be the liability of the Madurai University.

(2) There shall be paid to the Madurai University out of the accumulations in the superannuation fund and other like funds, if any, of the University of Madras such amounts as have been credited to the superannuation fund or other like funds, if any, on behalf of the persons referred to in sub-sections (1) and (2) of section 54. The amount so paid shall form part of the superannuation fund or other like funds,

if any, that may be established by the Madurai University for the benefit of its employees.

Payment of certain amount by the University of Madras.

56. (1) The University of Madras shall, out of its funds as on the notified date, pay to the Madurai University such amount as the Government may, in consultation with the University of Madras, specify.

(2) The amount payable under sub-section (1) shall be in addition to the amounts payable by the University of Madras to the Madurai University under section 55.

Madras Act VII of 1923 not to apply.

57. (1) Subject to the provisions of sub-sections (2) to (9), the Madras University Act, 1923 (Madras Act VII of 1923) shall, with effect from the notified date, cease to apply in respect of the areas to which the provisions of this Act extend.

(2) Such cesser shall not affect—

(*a*) the previous operation of the Madras University Act, 1923 (Madras Act VII of 1923) in respect of the areas to which the provisions of this Act extend, or

(*b*) any penalty, forfeiture or punishment incurred in respect of any offence committed against the Madras University Act, 1923 (Madras Act VII of 1923), or

(*c*) any investigation, legal proceeding or remedy in respect of such penalty, forfeiture or punishment, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(3) Notwithstanding anything contained in sub-section (1), all statutes, ordinances and regulations made under the Madras University Act, 1923 (Madras Act VII of 1923) and in force on the notified date, shall, in so far as they are not inconsistent with this Act, continue to be in force in the University area until they are replaced by the statutes, ordinances and regulations to be made under this Act.

(4) Notwithstanding anything contained in this Act of the statutes, ordinances and regulations, continued in force under sub-section (3), or made under this Act, any student of any of the colleges within the University area which—

(*a*) continue to be colleges affiliated to the University of Madras immediately before the notified date ; or

(*b*) continue to be colleges recognised by the University of Madras as oriental colleges immediately before that date,

who immediately before the notified date, was studying or was eligible for any of the examinations of the University of Madras shall be permitted to complete his course or be admitted to the examination, as the case may be, and the Madurai University shall provide for such period and in such manner as may be determined by the Chancellor for the instruction, teaching, training and examination of such student in accordance with the courses of study in the University of Madras and furnish to the University of Madras a return containing the names and qualifications of the teachers engaged for the instruction, teaching, training and examination of such student and shall comply with such directions as may be given by the University of Madras in respect of those students.

(5) All property whether movable or immovable including lands, buildings, equipment, books and library and all rights of whatsoever kind owned by or vested in or held in trust immediately before the notified date by the University of Madras at the University Centre at Madurai as well as all liabilities legally subsisting against such University at that Centre shall, stand transferred to and vest in the Madurai University.

(6) All colleges including oriental colleges, within the University area which immediately before the notified date—

(*a*) continue to be affiliated to or recognised by the University of Madras; and

(*b*) provide courses of study for admission to the examinations for degrees of the University of Madras,

shall be deemed to be colleges affiliated to the Madurai University under this Act and the provisions of this Act shall, as far as may be, apply accordingly.

(7) All colleges within the University area which immediately before the notified date continue to be recognised by the University of Madras as—

(*a*) oriental colleges providing courses of study for admission to the examinations of the said University, for titles and diplomas ; and

(*b*) colleges providing courses of study for admission to the Pre-University examination of the said University,

shall be deemed to be colleges approved by the Madurai University under this Act and the provisions of this Act shall, as far as may be, apply accordingly.

(8) All hostels within the University area which continue to be recognised by the University of Madras immediately before the notified date shall be deemed to be hostels recognised by the Madurai University under this Act and the provisions of this Act shall as far as may be apply accordingly.

(9) Subject to the provisions of sub-section (2) but without prejudice to the provisions of sub-sections (3) to (8), anything done or any action taken before the notified date under any provision of the Madras University Act, 1923 (Madras Act VII of 1923) in respect of any area to which the provisions of this Act extend shall be deemed to have been done or taken under the corresponding provision of this Act and shall continue to have effect accordingly unless and until superseded by anything done or any action taken under the corresponding provision of this Act.

Power to remove difficulties.

58. (1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the notified date, or otherwise in giving effect to the provisions of this Act, the Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

(2) Every order issued under sub-section (1) shall, as soon as possible after it is issued, be placed on the table of both Houses of the Legislature and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such order or both Houses agree that the order should not be issued, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

THE MADRAS LAND REVENUE AND WATER-CESS (SURCHARGE) ACT, 1965.

[*Received the assent of the President on the* 10*th January*, 1966;
Published in the Fort St. George Gazette (Extraordinary), *Part IV, Section* 4, *page* 1, *dated the* 13*th January*, 1966.]

ACT No. XXXIV OF 1965.

An Act to provide for the levy of surcharge on land revenue and on water-cess in the State of Madras.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called THE MADRAS LAND REVENUE AND WATER-CESS (SURCHARGE) ACT, 1965.

(2) It shall be deemed to have come into force on the 1st day of July, 1965.

Definitions.

2. In this Act, unless the context otherwise requires,—

(1) " fasli year " means the year commencing on the 1st day of July ;

(2) " Government " means the State Government ;

(3) " inam land " shall have the meaning assigned to it in clause (*d*) of section 2 of the Madras Inams (Assessment) Act, 1956 (Madras Act XL of 1956) ;

(4) " landholder " means any holder of land under ryotwari settlement and includes,—

(i) any inamdar liable to pay full assessment under the Madras Inams (Assessment) Act, 1956 (Madras Act XL of 1956) ; and

(ii) any person liable to pay land revenue under—

(*a*) section 23 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948), or

(*b*) section 21 of the Madras Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963 (Madras Act XXVI of 1963), or

(*c*) section 15 of the Madras Lease-holds (Abolition and Conversion into Ryotwari) Act, 1963 (Madras Act XXVII of 1963), or

(*d*) section 12 of the Madras Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Madras Act XXX of 1963), or

(*e*) section 12 of the Kanyakumari Sreepandaravaka Lands (Abolition and Conversion into Ryotwari) Act, 1964 (Madras Act XXXI of 1964) ;

(5) " land revenue " means—

(i) in the case of any land in respect of which a ryotwari settlement is in force, the ryotwari assessment payable ;

(ii) in the case of any inam land on which full assessment of revenue has been levied under the Madras Inams (Assessment) Act, 1956 (Madras Act XL of 1956), such assessment ;

(iii) in the case of any land in respect of which a ryotwari settlement effected—

(*a*) in pursuance of section 22 of the Madras Estates Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948), has not been brought into force, the land revenue payable under section 23 of that Act ;

(*b*) in pursuance of section 20 of the Madras Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963 (Madras Act XXVI of 1963), has not been brought into force, the land revenue payable under section 21 of that Act ;

(*c*) in pursuance of section 14 of the Madras Lease-holds (Abolition and Conversion into Ryotwari) Act, 1963 (Madras Act XXVII of 1963) has not been brought into force, the land revenue payable under section 15 of that Act;

(*d*) in pursuance of section 16 or section 16-A of the Madras Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Madras Act XXX of 1963) has not been brought into force, the land revenue payable under section 12 of that Act pending such ryotwari settlement;

(*e*) in pursuance of section 11 of the Kanyakumari Sreepandaravaka Lands (Abolition and Conversion into Ryotwari) Act, 1964 (Madras Act XXXI of 1964), read with the Madras (Transferred Territory) Ryotwari Settlement Act, 1964 (Madras Act XXX of 1964) has not been brought into force, the land revenue payable under sub-section (2) of section 12 of the former Act pending such ryotwari settlement;

but does not include the additional assessment payable under the Madras Additional Assessment and Additional Water-cess Act, 1963 (Madras Act VIII of 1963);

(6) "settlement notification" includes a resettlement notification;

(7) "water-cess" means the water-cess levied under—

(*a*) the Madras Irrigation Cess Act, 1865 (Madras Act VII of 1865);

(*b*) the Bhavani Reservoir Irrigation Cess Act, 1933 (Madras Act XVI of 1933); and

(*c*) the Mettur Canal Irrigation Cess Act, 1953 (Madras Act XVII of 1953);

but does not include the additional water-cess payable under the Madras Additional Assessment and Additional Water-cess Act, 1963 (Madras Act VIII of 1963).

Levy and collection of surcharge.

3. In respect of every land assessed to land revenue or to water-cess or to both, there shall be levied and collected by the Government from the landholder for every fasli year, a surcharge at the rate of twenty-five per centum of the land revenue or of the water-cess or of both, as the case may be, payable for the fasli year for that land.

Assessing authority for surcharge on land revenue.

4. Any officer of the Revenue Department not lower in rank than a Deputy Tahsildar and having jurisdiction may, after following such procedure as may be prescribed, assess the surcharge on land revenue under this Act. Such assessment shall, subject to the provisions of sections 7 and 9, be final.

Assessing authority for surcharge on water-cess.

5. (1) Any authority or officer competent to levy and collect the water-cess under the relevant Acts mentioned in clause (7) of section 2 and the rules made thereunder may assess the surcharge on water-cess under this Act. Such assessment shall, subject to the provisions of section 8, be final.

(2) The procedure for the levy and collection of surcharge on water-cess shall be the same as the procedure for the levy and collection of water-cess under the relevant Acts mentioned in clause (7) of section 2 and the rules made thereunder.

Reassessment of surcharge in certain cases.

6. (1) The surcharge assessed under this Act shall remain in force so long as the land revenue or the water-cess for the land remains the same.

(2) The authority or officer competent to levy surcharge under this Act may reassess the surcharge on land revenue or on water-cess, every time the land revenue or the water-cess for the land is revised. The provisions of this Act shall, as far as may be, apply in relation to such reassessment as they apply in relation to the assessment of the surcharge under this Act.

Appeal against order of assessment of surcharge on land revenue.

7. (1) Any person objecting to the amount of surcharge on land revenue assessed under section 4 or denying his liability to be assessed to surcharge on land revenue under this Act, may appeal against the assessment—

(i) where the assessment has been made by the Deputy Tahsildar in charge of a sub-taluk or the Tahsildar in charge of a taluk or range, to the Revenue Divisional Officer of the division concerned ;

(ii) where the assessment has been made by the Revenue Divisional Officer of a division, to the Collector of the district concerned ;

(iii) where the assessment has been made by the Collector of a district, to the Board of Revenue.

(2) The appeal shall be presented within a period of sixty days from the date of the service of the order of assessment or within such further time not exceeding ninety days as the appellate officer or authority referred to in sub-section (1) may, in his or its discretion, allow.

(3) An appeal under this section shall be heard in such manner as may be prescribed. In disposing of an appeal, the appellate officer or authority may—

(i) confirm, reduce, enhance or annul the assessment, or

(ii) set aside the assessment and direct the assessment to be made after such further inquiry as may be directed :

Provided that no enhancement of assessment shall be made under this section unless the appellant has been given a reasonable opportunity of being heard, against such enhancement.

(4) The appellate officer or authority may, at the conclusion of the appeal, communicate the orders passed in the appeal to the assessee and to the officer who made the assessment.

(5) Any order passed in the appeal shall, subject to the provisions of section 9, be final.

Appeal against order of assessment of surcharge on water-cess.

8. (1) Any person objecting to the amount of surcharge on water-cess assessed under sub-section (1) of section 5, or denying his liability to be assessed to surcharge on water-cess under this Act, shall have the same right of appeal and revision as he has against an order of the appropriate authority levying water-cess under the relevant Acts mentioned in clause (7) of section 2 and the rules made thereunder.

(2) The procedure to be followed and the period of limitation in respect of such appeal or revision shall be the same as the procedure to be followed and the period of limitation in respect of an appeal or revision against an order of the appropriate authority levying water-cess under the relevant Acts mentioned in clause (7) of section 2 and the rules made thereunder.

Revision by the Board of Revenue.

9. The Board of Revenue may call for and examine the record of any officer or authority in respect of any proceeding under section 11, or in respect of any proceeding relating to surcharge under this Act (not being a proceeding in respect of which an appeal lies to the Board of Revenue), to satisfy itself as to the regularity of such proceeding or the correctness, legality or propriety of any decision or order passed thereon; and, if, in any case, it appears to the Board of Revenue that any such proceeding, decision or order should be modified, annulled, reversed or remitted for reconsideration it may pass orders accordingly :

Provided that the Board of Revenue shall not pass any order prejudicial to any party unless he has been given a reasonable opportunity of being heard.

Surcharge recovered as land revenue.

10. (1) The surcharge payable under this Act shall be deemed to be public revenue due on the land in respect of which a person is liable to pay surcharge and the land, the building thereon and its products shall be regarded as the security for the surcharge.

(2) The provisions of the Madras Revenue Recovery Act, 1864 (Madras Act II of 1864) and of the Madras City Land Revenue Act, 1851 (Central Act XII of 1851), as amended by the Madras City Land Revenue (Amendment) Act, 1867 (Madras Act VI of 1867), shall apply in relation to the payment and recovery of the surcharge payable under this Act in respect of any land as they apply in relation to the payment and recovery of the revenue due upon such land.

Remission of surcharge.

11. (1) Where on account of total or partial failure of crops, the land revenue or the water-cess has been remitted in respect of any land, the surcharge on land revenue or on water-cess, as the case may be, payable in respect of such land shall stand remitted by such amount which bears to the total surcharge the same proportion as the amount of land revenue or water-cess remitted in respect of such land bears to the total amount of land revenue or water-cess in respect of such land.

(2) If any question arises whether any person is entitled to remission of surcharge under sub-section (1) or regarding the extent of such remission, the question shall be decided by the prescribed authority and in the prescribed manner and the decision of such authority on such question, shall, subject to the provisions of section 9, be final.

Power to make rules.

12. (1) The Government may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(*a*) all matters expressly required or allowed by this Act to be prescribed ;

(*b*) the unit for the purposes of assessment of surcharge under this Act;

(*c*) the production of documents ; and

(*d*) the holding of inquiries and the enforcement of the attendance of persons at such inquiries and their examination on oath or affirmation.

Power to remove difficulties.

13. If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

Publication of rules and placing of rules and orders before the Legislature.

14. (1) All rules made under section 12 shall be published in the *Fort St. George Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(2) Every rule made under section 12 and every order made under section 13 shall, as soon as possible after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or order or both Houses agree that the rule or order should not be made, the rule or order, shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or order.

Surcharge not to be taken into account for certain purposes.

15. (1) Notwithstanding anything contained in this Act, the surcharge payable under this Act shall not be deemed to be land revenue or water-cess for the purposes of,—

(i) calculating stamp duty chargeable under the Indian Stamp Act, 1899 (Central Act II of 1899) ; or

(ii) calculating standard acre under the Madras Agricultural Income-tax Act, 1955 (Madras Act V of 1955) ; or

(iii) calculating court-fees under the Madras Court-fees and Suits Valuation Act, 1955 (Madras Act XIV of 1955) ; or

(iv) assessment of local cess and local cess surcharge under the Madras Panchayats Act, 1958 (Madras Act XXXV of 1958) ; or

(v) calculating standard acre under the Madras Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961 (Madras Act LVII of 1961) ; or

(vi) calculating standard acre or the compensation payable under the Madras Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Madras Act LVIII of 1961) ; or

(vii) calculating the additional assessment and additional water-cess under the Madras Additional Assessment and Additional Water-cess Act, 1963 (Madras Act VIII of 1963).

(2) Notwithstanding anything contained in this Act or in any other law for the time being in force, the surcharge payable under this Act shall not be taken into account for the purposes of payment of compensation under—

(*a*) the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948), or

(*b*) the Madras Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963 (Madras Act XXVI of 1963), or

(*c*) the Madras Lease-holds (Abolition and Conversion into Ryotwari Act, 1963 (Madras Act XXVII of 1963), or

(*d*) the Madras Minor Inams (Abolition and Conversion into Ryotwari). Act, 1963 (Madras Act XXX of 1963), or

(*e*) the Kanyakumari Sreepandaravaka Lands (Abolition and Conversion into Ryotwari) Act, 1964 (Madras Act XXXI of 1964).

Act to override other laws.

16. Except as otherwise provided in this Act, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force, or any custom, usage or contract or decree or order of a Court or other authority.

Act not to apply to certain areas in the State.

17. (1) Subject to the provisions of sub-section (2), nothing contained in this Act shall apply to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.

(2) Notwithstanding anything contained in sub-section (1), the Government may, by notification, direct that the provisions of this Act shall apply to any of the areas specified in sub-section (1) with effect from such date as may be specified in such notification.

THE INDIAN PARTNERSHIP (MADRAS AMENDMENT) ACT, 1965.

[*Received the assent of the President on the* 22nd *January*, 1966.
Published in the Fort St. George Gazette, Part IV, section 4, *page*, 11,
dated the 2nd *February*, 1966.]

ACT No. XXXV OF 1965.

An Act further to amend the Indian Partnership Act, 1932 *in its application to the State of Madras.*

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title, extent and commencement.

1. (1) This Act may be called THE INDIAN PARTNERSHIP (MADRAS AMENDMENT) ACT, 1965.

(2) It extends to the whole of the State of Madras.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of section 58, Central Act IX of 1932.

2. For sub-section (3) of section 58 of the Indian Partnership Act, 1932 (Central Act IX of 1932) (hereinafter referred to as the principal Act), the following sub-section shall be substituted, namely :—

" (3) No firm shall be registered by a name which, in the opinion of the State Government, is undesirable.

(4) Except with the previous sanction in writing of the State Government, no firm shall be registered by a name which contains any of the following words, namely :—

(*a*) 'Union,' 'State,' 'President,' 'Republic' or any word expressing or implying the sanction, approval or patronage of the Central or any State Government ; and

(*b*) 'Municipal,' 'Chartered' or any word which suggests or is calculated to suggest connection with any municipality or other local authority :

Provided that nothing in this sub-section shall apply to any firm registered before the date of the commencement of the Indian Partnership (Madras Amendment) Act, 1965."

Substitution of new Schedule for Schedule I to Central Act IX of 1932.

3. For Schedule I to the principal Act, the following Schedule shall be substituted, namely :—

" SCHEDULE I.

Maximum Fees.

[*See* sub-section (1) of section 71.]

Document or act in respect of which the fees is payable (1)	*Maximum fee.* (2) Rs. P.
1. Statement under section 58	10 00
2. Statement under section 60	3 00
3. Intimation under section 61	3 00
4. Intimation under section 62	3 00
5. Notice under section 63	3 00
6. Application under section 64	3 00
7. Inspection of the Register of Firms under sub-section (1) of section 66	1 00 for inspecting the entry of each firm in the Register.

Document or act in respect of which the fee is payable (1)	*Maximum fee.* (2) Rs. P.
8. Inspection of documents relating to a firm under sub-section (2) of section 66	1 00 for each inspection of all documets relating to one firm.
9. Copies from the Register of Firms	0 40 for each hundred words or part thereof."

THE GLANDERS AND FARCY (MADRAS AMENDMENT) ACT, 1965.

[*Received the assent of the President on the 25th January*, 1966. *Published in the Fort St. George Gazette, Part IV, section* 4, *page* 15, *dated the 2nd February*, 1966.]

ACT NO. XXXVI OF 1965.

An Act to amend the Glanders and Farcy Act, 1899, *in the application to the State of Madras.*

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :

Short title and extent.

1. (1) This Act may be called THE GLANDERS AND FARCY (MADRAS AMENDMENT) ACT, 1965.

(2) It extends to the whole of the State of Madras.

Insertion of new section 3-A in Central Act XIII of 1899.

2. After section 3 of the Glanders and Farcy Act, 1899 (Central Act XIII of 1899) (hereinafter referred to as the principal Act), the following section shall be inserted, namely :—

" 3-A. *Power to vaccinate and regulate movement of horses.*—The State Government may, for the purpose of preventing the outbreak or spread of all or any of the diseases specified in a notification under sub-section (1) of section 2, in or from any area in the State, by notification,—

(*a*) direct that all persons keeping horses in such area shall have them compulsorily vaccinated in accordance with such rules as may be prescribed ; or

(*b*) prohibit or regulate, subject to such restrictions and conditions as may be prescribed, the bringing into the State, otherwise than across a customs frontier as defined by the Central Government, or transport within the State, of any horse which is diseased or which is not vaccinated against South African Horse Sickness or of any product or part or carcass of any such horse or of any fodder, bedding or other thing used in connection with such horse.".

(*c*) Nothing contained in this section shall apply to any animal belonging to or under the control or possession of, the Armed Forces of the Union.

Amendment of section 13, Central Act XIII of 1899.

3. In section 13 of the principal Act, after the word " Whoever", the words, figure and letter " fails to comply with or contravenes the terms of any notification issued under section 3-A, or " shall be inserted.

Amendment of section 14, Central Act XIII of 1899.

4. In sub-section (2) of section 14 of the principal Act,—

(i) in clause (*d*), the word " and " at the end shall be omitted ;

(ii) in clause (*e*), the word " and " shall be added at the end ;

(iii) after clause (*e*), the following clause shall be added, namely :—

" (*f*) provide for all matters expressly required or allowed by this Act to be prescribed."

THE MADRAS CITY TENANTS' PROTECTION (AMENDMENT) ACT, 1965.

[*Received the assent of the President on the 25th January,* 1966. *Published in the Fort St. George Gazette, Part IV, Section* 4, *page* 17, *dated the 2nd February,* 1966.]

ACT No. XXXVII OF 1965.

An Act further to amend the Madras City Tenants' Protection Act, 1921.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS CITY TENANTS' PROTECTION (AMENDMENT) ACT, 1965.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of section 9-A, Madras Act III of 1922.

2. Section 9-A of the Madras City Tenants' Protection Act, 1921 (Madras Act III of 1922) (hereinafter referred to as the principal Act) shall be renumbered as sub-section (1) of that section, and after the sub-section as so renumbered, the following sub-section shall be inserted, namely :—

" (2) Subject in other respects to the provisions of the Limitation Act, 1963 (Central Act XXXVI of 1963), the period of limitation for an appeal from an order in any of the cases specified in sub-section (1) shall be,—

(i) if such appeal lies to the High Court, ninety days from the date of the order, and

(ii) if such appeal lies to any other Court, or to the Chief Judge of the Presidency Small Cause Court, thirty days from the date of the order.".

Insertion of new section 14 in Madras Act III of 1922.

3. After section 13 of the principal Act, the following section shall be inserted, namely :—

" 14. *Power to make rules.*—(1) The State Government may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for the fees payable in respect of applications, petitions and appeals under this Act.

(3) All rules made under this Act shall be published in the *Fort St.George Gazette* and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(4) Every rule made under this Act shall, as soon as possible after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or both Houses agree that the rule should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

Saving of limitation in certain cases.

4. Notwithstanding anything contained in sub-section (2) of section 9-A of the principal Act, as amended by this Act, in the case of an appeal from an order passed by a Court under section 6, section 7, section 7-A or section 9 of that Act before the date of the commencement of this Act, the period of limitation shall be—

(i) thirty days next after the date of such commencement, or

(ii) the period prescribed for such appeal under sub-section (2) of the said section 9-A,

whichever period expires later.

THE MADRAS PANCHAYATS (AMENDMENT) ACT, 1965.

[*Received the assent of the President on the* 31*st January*, 1966. *Published in the Fort St. George Gazette, Part IV, Section* 4, *page* 19, *dated* 9*th February*, 1966.]

ACT No. XXXVIII OF 1965.

An Act further to amend the Madras Panchayats Act, 1958.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS PANCHAYATS (AMENDMENT) ACT, 1965.

(2) (*a*) Sections 2, 3, 4 and 6 shall come into force on such date as the State Government may, by notification, appoint.

(*b*) Section 5 shall be deemed to have come into force on the 2nd October, 1960.

(*c*) Section 7 shall come into force at once.

Amendment of section 25, Madras Act XXXV of 1958.

2. In section 25 of the Madras Panchayats Act, 1958 (Madras Act XXXV of 1958) (hereinafter referred to as the principal Act), in sub-section (2), for clause (*g*), the following clause shall be substituted, namely :—

" (*g*) in arrears of any kind due by him (otherwise than in a fiduciary capacity) to the panchayat or the panchayat union council up to and inclusive of the previous year."

Amendment of section 26, Madras Act XXXV of 958.

3. In section 26 of the principal Act, for clause (i), the following clause shall be substituted, namely :—

" (i) fails to pay arrears of any kind due by him (otherwise than in a fiduciary capacity to the panchayat or the panchayat union council within three months after such arrears became due ; or ".

Amendment of section 120, Madras Act XXXV of 1958.

4. In section 120 of the principal Act,—

(1) in sub-section (3), for the words " The house-tax shall be levied every half-year," the words " The house-tax shall be levied every year " shall be substituted.

(2) in sub-section (4), in clause (iv), for the words " during any half-year," the words " during any year " shall be substituted.

Amendment of section 165, Madras Act XXXV of 1958.

5. In section 165 of the principal Act, for the words " a period of three years " the words " a period of six years " shall be substituted.

Substitution of new Schedule for Schedule I to Madras Act XXXV of 1958.

6. For Schedule I to the principal Act, the following Schedule shall be substituted, namely :—

"SCHEDULE I.

[*See* section 120 (3).]

Basis of levy.	*Minimum rate per year.*	*Maximum rate per year.*
(1)	(2)	(3)
(*a*) If the tax is levied on the basis of the capital value.	1/8 per cent of the capital value.	One per cent of the capital value.
(*b*) If the tax is levied on the basis of the annual value.	Two per cent of the annual value.	20 per cent of the annual value.
(*c*) If the tax is levied on the basis of classified plinth area—		

(1)	(2)		(3)	
	Rs. P.		Rs. P.	
(i) Terraced ..	1 50	For every 9.25 square metres or part thereof of the plinth area.	6 00	For every 9.25 square metres or part thereof of the plinth area.
(ii) Partly terraced and partly tiled or thatched ..	1 00	Do.	3 00	Do.
(iii) Tiled ..	0 80	Do.	2 00	Do.
(iv) Partly tiled and partly thatched ..	0 50	Do.	1 50	Do.
(v) Thatched ..	0 40	Do.	1 00	Do."

Special provision in respect of limitation for recovery of certain dues.

7. Notwithstanding the expiration of the period of three years mentioned in section 165 of the principal Act as in force immediately before the publication of this Act in the *Fort St. George Gazette*, distraint may be made, a suit may be instituted or prosecution may be commenced in respect of any tax or other sum due to a panchayat or panchayat union council under the principal Act or any rule, by-law, regulation or order made under it, before the expiration of the period of six years mentioned in the said section 165 as amended by section 5 of this Act.

THE MADRAS WAREHOUSES (AMENDMENT) ACT, 1965.

[*Received the assent of the President on the* 1*st February*, 1966.
Published in the Forest St.George Gazette, Part IV, Section 4, *page* 23, *dated* 9*th February*, 1966.]

ACT No. XXXIX OF 1965.

An Act further to amend the Madras Warehouses Act, 1951.

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS WAREHOUSES (AMENDMENT) ACT, 1965.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of section 11, Madras Act XV of 1951.

2. After sub-section (2) of section 11 of the Madras Warehouses Act, 1951 (Madras Act XV of 1951), the following sub-sections shall be inserted, namely :—

" (2-A) If the warehouseman, after reasonable effort, is unable to sell the goods, by public auction, he may sell the goods in any other manner he may think fit at the cost and risk of the depositor. Where the goods are sold as aforesaid, the warehouseman shall be entitled to deduct from the proceeds of such sale the charges incurred in selling the goods and all other amounts due to him from the depositor on any account and shall account for the balance, if any, in the prescribed manner.

(2-B) If the warehouseman is unable to sell the goods under sub-section (2-A), he may dispose of them in any manner he may think fit and shall not be subject to any liability by reason of such disposal."

THE MADRAS FOREST (AMENDMENT) ACT, 1965.

[*Received the assent of the President on the* 18*th February*, 1966.
Published in the Fort St. George Gazette, Part IV, Section 4, *page* 49, *dated* 2*nd March*, 1966.]

ACT No. XL OF 1965.

An Act further to amend the Madras Forest Act, 1882, *and to extend that Act and certain other Acts to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.*

BE it enacted by the Legislature of the State of Madras in the Sixteenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS FOREST (AMENDMENT) ACT, 1965.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Insertion of new section 1-A in Madras Act V of 1882.

2. After section 1 of the Madras Forest Act, 1882 (Madras Act V of 1882) (hereinafter referred to as the principal Act), the following section shall be inserted, namely :—

" 1-A. *Chapters VI-A and VI-B to apply to the transferred territory only.*—The provisions of Chapters VI-A and VI-B shall apply only to the transferred territory."

Amendment of section 2, Madras Act V of 1882.

3. In section 2 of the principal Act,—

(i) to the definition of " forest produce", the following Explanation shall be added, namely :—

" *Explanation I.*—In the transferred territory, " forest produce " also includes the following things, whether found in, or brought from, a forest or not ,that is to say :—

timber or trees which are specified to be royalties under section 40-G.

Explanation II.—For the purpose of Explanation I, timber does not include any wood that has been wrought or fashioned such as doors, windows, articles of furniture and boxes ;";

(ii) in the definition of " river," after the word " canals," the word " back-waters " shall be inserted ;

(iii) to the definition of " land at the disposal of Government", the following Explanation shall be added, namely :—

" *Explanation.*—In the transferred territory, " land at the disposal of Government " also includes all land occupied temporarily and all land occupied without permission, whether assessed or unassessed, but does not include land, the property of *jenmies* or *Devaswoms.*" ;

(iv) after the definition of " imprisonment," the following definition shall be added, namely :—

" transferred territory " means the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.".

Insertion of new Chapters VI-A and VI-B in Madras Act V of 1882.

4. After Chapter VI of the principal Act, the following Chapters shall be inserted, namely :—

"CHAPTER VI-A.

OF THE COLLECTION OF DRIFT AND STRANDED TIMBER.

40-*A. Certain kinds of timber to be deemed property of Government until title thereto proved, and may be collected accordingly.*—(1) All timber found adrift, beached, stranded or sunk, all timber bearing marks which have not been registered under the rules made under section 35 or on which the marks have been obliterated, altered or defaced by fire or otherwise, and in such areas as the Government may direct, all unmarked timber shall be deemed to be the property of Government unless and until any person establishes his right and title thereto, as provided in this Chapter.

(2) Such timber may be collected by any Forest Officer or other person entitled to collect the same by virtue of any rule made under section 40-F and may be brought to such station as the Forest Officer may from time to time notify as a station for the reception of drift timber.

(3) The Government may, by notification in the Official Gazette, exempt any class of timber from the provisions of this section and may, in like manner, withdraw such exemption.

40-*B. Notice to claimants of timber collected under section* 40-*A.*—Public notice shall, from time to time, be given by the Forest Officer of timber collected under section 40-A. A copy of such notice shall also be published in the Official Gazette

and in the Official Gazette of the district. Such notice shall contain a description of the timber, and shall require any person claiming the same to present to such officer, within a period not less than two months from the date of such notice, a written statement of such claim.

40-*C*. *Procedure on claim preferred to such timber.*—(1) When any such statement is presented as aforesaid the Forest Officer may, after making such inquiry as he thinks fit, either reject the claim after recording his reasons for so doing, or deliver the timber to the claimant.

(2) If such timber is claimed by more than one person, the Forest Officer may either deliver the same to any such person whom he deems entitled thereto, or may refer the claimants to the Civil Court, and retain the timber pending the receipt of an order from any such Court for its disposal.

(3) Any person whose claim has been rejected under this section may, within four months from the date of such rejection, institute a suit to recover possession of the timber claimed by him, but no person shall recover any compensation or costs against the Government, or against any Forest Officer, on account of such rejection or the detention or removal of any timber, or the delivery thereof to any other person under this section.

(4) No such timber shall be subject to process of any Civil, Criminal or Revenue Court until it has been delivered, or a suit has been brought, as provided in this section.

40-D. *Disposal of unclaimed timber.*—If no such statement is presented, as aforesaid, or if the claimant omits to prefer his claims in the manner and within the period prescribed by the notice issued under section 40-B, or on such claim having been so preferred by him and having been rejected, omits to institute a suit to recover possession of such timber within the further period specified in section 40-C, the ownership of such timber shall vest in the Government, or when such timber has been delivered to another person under section 40-C, in such other person free from all encumbrances not created by him.

40-E. *Payments to be made by claimant before timber is delivered to him.*—No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest Officer or other person entitled to receive it such sum on account thereof as may be due under any rule made under section 40-F.

40-*F*. *Power to make rules and prescribe penalties.*—(1) The Government may, from time to time, make rules to regulate the following matters, namely :—

(*a*) the salving, collection and disposal of all timber mentioned in section 40-A ;

(*b*) the use and registration of boats used in salving and collecting timber;

(*c*) the amounts to be paid for salving, collecting, moving, storing and disposing of such timber ;

(*d*) the use and registration of hammers and other instruments to be used for marking such timber.

(2) The Government may by such rules prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

CHAPTER VI-B.

OF ROYALTIES.

40-G. *Royalties.*—(1) Trees of the following species, that is to say, teak, blackwood, ebony and sandalwood and also ivory and teeth of elephants, whether grown or found on Government land or private property, are royalties and no trade shall be carried on in them unless they have been duly obtained from the Government.

(2) The trees mentioned in sub-section (1) shall not be felled by any person without the written permission of the Chief Conservator of Forests or such other officer as may be authorised by him in writing, but the owner of any property on which, a teak, blackwood, ebony or sandalwood tree is standing may after obtaining the written permission of the Chief Conservator of Forests or other officer authorised by him as aforesaid, and on such terms as the Government may determine, fell any such tree for his private use, and when any such tree is removed from such property on account of the Government, the owner shall be entitled to a payment (hereinafter referred to in the Chapter as *kudivila*) at rates which the Government may from time to time determine.

Exception.—This section shall not apply to trees in places where royalty in trees has been abolished by Proclamations (Travancore), dated the 11th January, 1936 and the 25th August, 1941.

40-*H*. *Notice of proposal to cut and remove royalty trees.*—When it is proposed to cut and remove any royalty trees from private lands by Government agency, notice in the prescribed form shall be given to the registered holder of the land from which the trees are proposed to be cut and removed. Such notice may be sent by registered post to the registered holder of the land and shall also be posted in the village and taluk offices.

40-*I*. *Joint mahazar to be prepared before removal of the trees.* —Before any such trees are removed, a joint mahazar shall be prepared in the prescribed form by a Forest Officer not below the rank of a Forester in conjunction with the local village officer and whenever possible in the presence of the registered holder of the land or his authorised agent who shall also attest the mahazar. Notice as to when the trees are proposed to be removed and when the join mahazar is proposed to be prepared shall be given to the registered holder of the land. Such notice may be sent by registered post.

40-*J*. *Notice calling claims for kudivila.*—After the preparation of the joint mahazar referred to in section 40-I, another notice in the prescribed form shall be published by posting in the village and taluk offices and on some conspicuous part of the land from which the trees are cut, calling upon all claimants to prefer their claims to *kudivila* within ninety days from the date of publication of such notice to the Forest Officer empowered for the purpose and to produce all documents and other evidence in support of their claims.

40-*K*. *Inquiry by Forest Officer into claims for kudivila.*—(1) When a claim has been preferred as required by section 40-J, the Forest Officer empowered in that behalf shall inquire into such claim, recording all statements and the evidence in the manner prescribed by the Code of Civil Procedure, 1908 (Central Act V of 1908) in appealable cases.

(2) When no such claim has been preferred as required in section 40-J, the inquiry shall be conducted *ex parte*.

(3) For the purpose of such inquiry, the Forest Officer aforesaid may exercise all the powers of a Civil Court in the trial of suits.

40-*L*. *Award to be made after inquiry.*—(1) On the completion of the inquiry by the Forest Officer under section 40-K, he shall make an award under his hand of—

(*a*) the *kudivila* which in his opinion shall be allowed, and

(*b*) the apportionment of the *kudivila* so allowed among all the persons interested in the land of whose claims there is evidence whether they have appeared before him or not.

(2) The award shall be filed in the office of the Forest Officer and shall be final except as hereinafter provided. Notice of the award shall forthwith be given to all the parties who are interested.

40-M. *Reference to Court.*—(1) Any party to the inquiry who is aggrieved by the award may, by written application to the Forest-officer making such award, require that the matter be referred to the District Court, within whose jurisdiction the land is situate, whether his objection be to the amount of the *kudivila*, the person to whom it is payable, or the apportionment of the *kudivila*, and the Forest-officer shall refer the application to the District Court within sixty days of the date of the application.

(2) The application shall state the grounds on which objection to the award is taken and shall be made within sixty days of the date of the receipt of the notice of the award.

(3) If on account of the complicated nature of the claim or for other reason, the Forest-officer is of opinion that a reference has to be made to the District Court he may himself refer the matter to be decided by the District Court within whose jurisdiction the land is situate.

40-N. *Forest-officer's statement to Court.*—(1) In making the reference, the Forest-officer shall state, for the information of the District Court, in writing under his hand—

(*a*) the extent and situation of the land, with particulars of the trees cut and removed ;

(*b*) the names of the persons whom he has reason to think are interested in such land ;

(*c*) the amount of *kudivila* ; and

(*d*) if the objection be as to the amount of *kudivila*, the grounds on which it was determined.

(2) To the said statement shall be attached a schedule giving the particulars of the notice served upon, and of the statements in writing made or delivered by, the parties interested and the evidence adduced by them.

40-O. *Service of notice.*—The District Court shall thereupon cause a notice specifying the day on which the Court shall proceed to determine the objection and directing their appearance before the Court on that day, to be served on the following, namely :—

(*a*) the applicant,

(*b*) all persons interested in the inquiry, and

(*c*) the Government.

40-P. *Scope of the inquiry.*—The scope of the inquiry in every such proceeding shall be restricted to a consideration of the interests of the persons affected and every such proceeding shall be taken in open Court.

40-Q. *Form of award by Court.*—Every award made by the Court shall be in writing, signed by the Judge, and shall specify the amount of the *kudivila* awarded and the respective persons to whom it shall be payable. Against the award made by the District Court, an appeal shall lie to the High Court.

40-R. *Tendering payment.*—On making an award under section 40-L, the Forest-officer shall tender payment of the *kudivila* awarded by him to the persons entitled thereto according to the award, and shall pay it to them, unless they refuse to receive it, or there is any dispute as to the title to receive the *kudivila* or as to the apportionment thereof.

40-S. *Forest-officer to carry out the Court's awards as his own.*—If the award made by the Forest-officer is reversed or modified either by the District Court or by the High Court, the Forest-officer shall proceed to deal with it in like manner as if it had been in the first instance made by himself.

40-T. *Bar of claims to kudivila.*—No claims to *kudivila* preferred after three years from the date of publication of the notice mentioned in section 40-J shall be admitted by the Forest-officer nor shall any such claims be entertained in a Court of law except for references under section 40-M.

40-U. *Rules to be made by Government.*—The Government may make rules for regulating or prohibiting the felling, lopping, cutting, maiming, or otherwise maltreating of any tree which is a royalty or any other tree standing on land temporarily or permanently assigned, the right of the Government over which has been expressly reserved in the deed of grant or assignment of such land.

40-V. *Punishment for felling, etc., trees which are royalties.*—(1) Whoever—

(*a*) fells, girdles, lops, marks, mutilates, or otherwise damages any tree which is a royalty, in contravention of the rules made by the Government, or

(*b*) fells such trees in places other than those for which he has obtained permission from a Forest-officer or in quantities larger than, or different in kind from, those so permitted, or

(*c*) is found in possession of such trees, or of any forest produce which is a royalty without having honestly obtained it, shall, on conviction by a Magistrate, be liable to imprisonment which may extend to six months, or to fine which may extend to five hundred rupees, or to both.

(2) In cases where the offence is committed after sunset and before sunrise, or after making preparation for resistance to the execution of any law or any legal process, or where the offender has been previously convicted of a like offence, the convicting Magistrate may inflict double the penalty prescribed for such offence.

40-W. *Other provisions not affected.*—The provisions of this chapter shall be in addition to, and not in derogation of, the other provisions of this Act.".

Extension of Madras Act V of 1882 and certain other Acts to transferred territory, repeals and savings.

5. (1) The Madras Forest Act, 1882 (Madras Act V of 1882), as in force immediately before the date of the commencement of this Act and as amended by this Act, the Madras Wild Elephants Preservation Act, 1873 (Madras Act I of 1873), the Madras Forest (Validation) Act, 1882 (Central Act XXI of 1882) and the Wild Birds and Animals Protection Act, 1912 (Central Act VIII of 1912), as in force immediately before the date of the commencement of this Act (thereinafter in this section referred to as the said law) are hereby extended to, and shall be in force in, the transferred territory.

(2) The Game and Fish Protection Act (Travancore Act XII of 1089), the Travancore-Cochin Forest Act, 1951 (Travancore-Cochin Act III of 1952) and any other law corresponding to the said law, in force in the transferred territory immediately before the date of the commencement of this Act, shall stand repealed on the date of such commencement.

(3) The repeal by sub-section (2) of the Game and Fish Protection Act (Travancore Act XII of 1089), the Travancore-Cochin Forest Act, 1951 (Travancore-Cochin Act III of 1952) and any other law corresponding to the said law, in force in the transferred territory immediately before the date of the commencement of this Act shall not affect—

(*a*) the previous operation of any such Act or law or anything duly done or suffered thereunder ; or

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under any such Act or law ; or

(*c*) any penalty, forfeiture or punishment incurred in respect of any offence committed against any such Act or law ; or

(*d*) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(4) Subject to the provisions of sub-section (3), anything done or any action taken, including any appointment made, notification, order, instruction or direction issued, or any rule or form framed under any such Act or law shall be deemed to

have been done or taken under the said law corresponding thereto and shall continue to have effect accordingly, unless and until superseded by anything done or any action taken under the said law.

(5) For the purpose of facilitating the application of the said law in the transferred territory, any Court or other authority may construe such law with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the Court or other authority.

(6) Any reference in the said law to a law which is not in force in the transferred territory shall, in relation to that territory, be construed as a reference to the corresponding law, if any, in force in that territory.

(7) Any reference in any law which continues to be in force in the transferred territory after the date of the commencement of this Act, to any Act or law, repealed by sub-section (2) shall, in relation to that territory, be construed as a reference to the said law corresponding thereto.

(8) (*a*) If any difficulty arises in giving effect to the provisions of this Act or of the said law as extended to the transferred territory by this Act, the State Government, as occasion may require, may, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

(*b*) All orders made under clause (*a*) shall be published in the Official Gazette and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(*c*) Every order made under clause (*a*) shall, as soon as possible, after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

Explanation.—For the purpose of this section, the expression " transferred territory " shall mean the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.

THE MADRAS GIFT GOODS (UNLAWFUL POSSESSION) AMENDMENT ACT, 1966.

[*Received the assent of the Governor on the 17th February*, 1966; *Published in Fort St. George Gazette, Part IV, Section 4, page* 25, *dated 23rd February*, 1966.]

ACT NO. I OF 1966.

An Act to amend the Madras Gift Goods (Unlawful Possession) Act, 1961.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title.

1. This Act may be called THE MADRAS GIFT GOODS (UNLAWFUL POSSESSION) AMENDMENT ACT, 1966.

Amendment of section 2, Madras Act XLIX of 1961.

2. In section 2 of the Madras Gift Goods (Unlawful Possession) Act, 1961 (Madras Act XLIX of 1961), for clause (1), the following clause shall be substituted, namely :—

" (1) ' gift goods ' means any of the following goods, when supplied by way of gift, by any relief organization to any State Government or to the Central Government or to any other person on behalf of such Government, namely :—

(*a*) cornmeal ;

(*b*) milk powder ;

(*c*) vegetable oil (soya bean oil or sunflower seed oil) ;

(*d*) any other goods which the State Government may, by notification, from time to time, specify;".

THE MADRAS UNIVERSITY (AMENDMENT) ACT, 1966

[Received the assent of the Governor on the 20th February, 1966, Published in the Fort St. George Gazette, Part IV, Section 4, page 27, dated 23rd February, 1966.]

ACT NO. II OF 1966.

An Act further to amend the Madras University Act, 1923.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS UNIVERSITY (AMENDMENT) ACT, 1966.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of preamble to, and certain other provisions of, Madras Act VII of 1923.

2. In the Madras University Act, 1923 (Madras Act VII of 1923) (hereinafter referred to as the principal Act),—

(*a*) in the preamble,—

(i) in the first paragraph, for the words " teaching and residential University," the words " teaching and affiliating Univercity " and for the words ' colleges which are to constitute the University of Madras or are affi iated to it," the words " colleges which are affiliated to or approved by the University of Madras " shall be substituted ;

(ii) in the second paragraph, for the words " within the limits of the University ", the words " within the University " shall be substituted ;

(iii) in the third paragraph, the words "outside the limits of the University" shall be omitted ;

(*b*) for the words " constituent, affiliated and oriental colleges " wherever they occur in sections 4-A (3), 24 (*d*), (*e*) and (*f*) and 31 (*f*) the words " affiliated and approved colleges " shall be substituted.

Amendment of section 2, Madras Act VII of 1923.

3. In section 2 of the principal Act,—

(i) for clause (*a*), the following clauses shall be substituted, namely :—

" (*a*) ' Affiliated College ' means any college affiliated to the University and providing courses of study for admission to the examinations for degrees of the University and includes a college deemed to be affiliated to the University under the Madras University (Amendment) Act, 1966 ;

(*aa*) ' Approved College ' means any college approved by the University and providing courses of study for admission to the examinations for titles and diplomas and the pre-University examination of the University and includes a college deemed to be approved by the University under the Madras University (Amendment) Act, 1966 ;

(*aaa*) ' College ' means any college or any institution maintained or approved by or affiliated to the University and providing courses of study for admission to the examinations of the University ; ";

(ii) clause (*b*), (*c*), (*cc*), (*e*), (*ee*) and (i) shall be omitted ;

(iii) after clauses (*d*), the following clause shall be inserted, namely :—

" (*e*) ' Post-graduate College ' means a University college or an affiliated college providing post-graduate courses of study leading up to the post-graduate degrees of the University ;";

(iv) for clause (*g*), the following clause shall be substituted, namely :—

" (*g*) ' Principal ' means the head of a college ; " ;

(v) for clause (*h*), the following clause shall be substituted, namely :—

" (*h*) ' Registered graduate ' means a graduate registered under this Act ;" ;

(vi) after clause (*h*), the following clause shall be inserted, namely :—

" (*i*) ' Statutes,' ' Ordinances ' and ' Regulations ' mean respectively the Statutes, Ordinances and Regulations of the University made under this Act;";

(vii) for clause (*j*), the following clause shall be substituted, namely :—

" (*j*) ' Teachers ' means such professors, assistant professors, readers lecturers, librarians and other like persons as may be declared by the Statutes to be teachers ;" ;

(viii) for clauses (*m*), (*n*), (*o*) and (*p*), the following clauses shall be substituted, namely :—

" (*m*) ' University Centre ' means any area within the State of Madras, except the area comprising the revenue districts of Madurai, Ramanathapuram, Tirunelveli and Kanyakumari recognised by the State Government on the recommendation of the University and containing one or more colleges competent to engage in higher teaching and research work and to promote University life in a manner calculated to prepare for the institution of a new University ;

(*n*) ' University College ' 'means a college or a college combined with a research institute maintained by the University (whether instituted by it or not) and providing courses of study leading up to the post-graduate and professional degrees ;

(*o*) ' University Laboratory ' means a laboratory maintained by the University (whether instituted by it or not) and intended for the carrying on and advancement of research work ;

(*p*) ' University Professor, ' ' University Reader ' or ' University Lecturer ' means Professor, Reader or Lecturer respectively appointed as such by the University;

(*q*) ' University Library ' means a library maintained by the University whether instituted by it or not.".

Amendment of section 4-A, Madras Act VII of 1923.

4. In section 4-A of the principal Act,—

(i) in clause (6) (*a*), for the words " a constituent, affiliated or oriental college," the words " an affiliated or approved college " shall be substituted ;

(ii) for clauses (8) and (9), the following clauses shall be substituted, namely:—

" (8) to institute, maintain and manage University colleges, laboratories, libraries, museums and other institutions necessary to carry out the objects of the University ;

(9) to affiliate colleges to the University as affiliated, professional or post-graduate colleges under conditions prescribed and to withdraw affiliation from colleges ;

(9-A) to approve colleges providing courses of study for admission to the examinations for titles and diplomas and the pre-University examination of the University under conditions prescribed and to withdraw such approval;";

(iii) in clause (10), for the words " any local areas ", the words " any area within the State of Madras except the area comprising the revenue districts of Madurai, Ramanathapuram, Tirunelveli and Kanyakumari " shall be substituted ;

(iv) for clause (12), the following clauses shall be substituted, namely :—

" (12) to institute and award fellowships, travelling fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes ;

(12-A) to hold and manage endowments and other properties and funds of the University and to raise loans required for the purposes of this Act ;";

(v) after clause (16), the following clause shall be inserted, namely :—

" (16-A) to institute and maintain a University Extension Board ;";

(vi) for items (*d*) and (*e*) of clause (17), the following items shall be substituted, namely :—

"(*d*) University Athletic Clubs; and

(*e*) other similar Associations;";

(vii) for clause (18), the following clause shall be substituted, namely:—

"(18) to encourage co-operation among the colleges, laboratories and institutes in the University and co-operate with other Universities and other authorities in such manner and for such purposes as the University may determine; and".

Substitution of new section for section 5, Madras Act VII of 1923.

5. For section 5 of the principal Act, the following section shall be substituted, namely:—

"5. *Disqualification for membership.*—(1) No person shall be qualified for election as a member of any of the authorities of the University, if, on the date of nomination or election, he is—

(*a*) of unsound mind, a deaf-mute or suffering from leprosy;

(*b*) an applicant to be adjudicated insolvent or an undischarged insolvent;

(*c*) sentenced by a criminal Court to imprisonment for any offence involving moral turpitude.

(2) In case of dispute or doubt, the syndicate shall determine whether a person is disqualified under sub-section (1) and its decision shall be final.".

Amendment of section 6, Madras Act VII of 1923.

6. In section 6 of the principal Act,—

(i) for the words "any institution", the words "any college or institution" shall be substituted;

(ii) for the words "recognised or approved by the University," the words "affiliated to or approved by the University" shall be substituted.

Amendment of section 7, Madras Act VII of 1923.

7. In section 7 of the principal Act, in sub-section (4), the following sentence shall be added at the end, namely:—

"In the event of the Senate or the Syndicate or both not complying with such directions within such time as may be fixed in that behalf by the State Government, the State Government shall have the power to take such action as they think necessary for securing compliance with such directions.".

Amendment of section 9, Madras Act VII of 1923.

8. In section 9 of the principal Act, in sub-section (3), for the words "communities or interests," the word "interests" shall be substituted.

Substitution of new section for section 11, Madras Act VII of 1923.

9. For section 11 of the principal Act, the following section shall be substituted, namely:—

"11. *The Vice-Chancellor.*—(1) Every appointment of the Vice-Chancellor shall be made by the Chancellor from out a panel of three names recommended by the Committee referred to in sub-section (2). Such panel shall not contain the name of any member of the said Committee.

(2) For the purpose of sub-section (1), the Committee shall consist of three persons of whom one shall be nominated by the Senate, one shall be nominated by the Syndicate and one shall be nominated by the Chancellor:

Provided that the person so nominated shall not be a member of any of the authorities of the University.

(3) The Vice-Chancellor shall hold office for a period of three years and shall be eligible for re-appointment for not more than two successive terms.

(4) When any temporary vacancy occurs in the office of the Vice-Chancellor or if the Vice-Chancellor is, by reason of absence or for any other reason, unable to exercise the powers and perform the duties of his office, the Syndicate shall, as soon as possible, make the requisite arrangements for exercising the powers and performing the duties of the Vice-Chancellor.

(5) The Vice-Chancellor shall be a whole-time officer of the University and shall be entitled to such emoluments, allowances and privileges as may be prescribed by the Statutes.".

Amendment of section 12, Madras Act VII of 1923.

10. In section 12 of the principal Act,—

(i) in sub-section (1), for the words "Chairman of the Syndicate, and of the Academic Council," the words "Chairman of the Syndicate, the Academic Council and the Finance Committee" shall be substituted ;

(ii) in sub-section (3), for the words "the Syndicate, and the Academic Council," the words "the Syndicate, the Academic Council and the Finance Committee" shall be substituted.

Amendment of section 12-A, Madras Act VII of 1923.

11. In section 12-A of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely :—

"(3) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.".

Amendment of section 13, Madras Act VII of 1923.

12. In section 13 of the principal Act, after item (4), the following item shall be inserted, namely :–

"(4-A) the Finance Committee,".

Amendment of section 14, Madras Act VII of 1923.

13. In section 14 of the principal Act, for sub-section (*a*), the following sub-section shall be substituted, namely :–

"(*a*) The Senate shall consist of the following persons, namely :—

Ex-officio Members.

(1) The Chancellor ;

(2) The Pro-Chancellor ;

(3) The Vice-Chancellor ;

(4) The Secretary to Government in charge of Education ;

(5) The Director of Higher Education, Madras;

(6) The Director of Secondary Education, Madras ;

(7) The Director of Technical Education, Madras ;

(8) The principals of affiliated colleges who have served as principals for not less than three years ;

(9) Every whole-time University Professor in charge of a Department ; and

(10) Members of the Syndicate who are not otherwise members of the Senate.

Life Members.

(1) Such number of persons not exceeding five as may be nominated by the Chancellor to be life members on the ground that they have rendered eminent services to education ;

(2) All persons who have made a donation of not less than Rs. 25,000 before the date of the commencement of the Madras University (Amendment) Act, 1966 to or for the general purposes of the University.

Other Members.

(1) Twenty members elected by registered graduates from among themselves in accordance with the system of proportional representation by means of the single transferable vote ;

(2) Ten members elected by the Academic Council from among its own body of whom not less than five shall be teachers of affiliated colleges ;

(3) Six members elected by the Members of the Legislative Assembly of the State of Madras from among themselves in accordance with the system of proportional representation by means of the single transferable vote ;

(4) Three members elected by the Members of the Legislative Council of the State of Madras from among themselves in accordance with the system of proportional representation by means of the single transferable vote ;

(5) Three members elected by the principals of approved colleges from among themselves in accordance with the system of proportional representation by means of the single transferable vote ;

(6) One member elected by the headmasters of high schools in each of the following revenue districts or groups of revenue districts, from among themselves, namely :—

(*a*) Coimbatore and the Nilgiris ;

(*b*) Salem and Dharmapuri ;

(*c*) North Arcot ;

(*d*) Chingleput and Madras ;

(*e*) South Arcot ;

(*f*) Thanjavur ;

(*g*) Tiruchirapalli ;

(7) One member elected by the councillors of the Municipal Corporation of Madras, from among themselves ;

(8) One member elected by the chairman of municipal councils and of panchayat union councils in each revenue district in the State of Madras, except the area comprising the revenue districts of Madurai, Ramanathapuram, Tirunelveli and Kanyakumari, from among such chairmen and the members of municipal councils, panchayat union councils and panchayats in such revenue district ; and

(9) Fifteen members nominated by the Chancellor of whom not less than ten shall be nominated to secure the representation of the Scheduled Castes and Scheduled Tribes not otherwise adequately represented.".

Substitution of new section for section 16, Madras Act VII of 1923.

14. For section 16 of the principal Act, the following section shall be substituted, namely :—

" 16. *Powers of the Senate.*— In particular and without prejudice to the generality of the powers conferred by section 15, the Senate shall have the following powers, namely :—

(1) to make Statutes and amend or repeal the same ;

(2) to modify or cancel Ordinances and Regulations in the manner prescribed by this Act ;

(3) to encourage co-operation among University colleges and laboratories, affiliated colleges and approved colleges ;

(4) to provide for instruction and training in such branches of learning as it may think fit ;

(5) to institute and maintain institutes of research, University colleges, University laboratories, libraries and museums ;

(6) to prescribe in consultation with the Academic Council the conditions for approving colleges or institutions in which provision is made for courses of study for admission to the Pre-University examination or for the preparation of students for titles or diplomas of the University and to withdraw such approval ;

(7) to provide for research and advancement and dissemination of knowledge ;

(8) to institute, after consultation with the Academic Council, professorships, readerships, lecturerships, and any other teaching posts required by the University ;

(9) to prescribe after consultation with the Academic Council, the conditions for affiliating colleges to the University and to withdraw affiliation from colleges ;

(10) to provide, after consultation with the Academic Council, such lectures and instructions for students of University colleges, affiliated colleges and approved colleges as the Senate may determine and also to provide for lectures and instructions to persons not being students of colleges and to grant diplomas to them ;

(11) to provide for the inspection of all colleges and hostels ;

(12) to institute degrees, titles, diplomas and other academic distinctions ;

(13) to confer degrees, titles, diplomas and other academic distinctions on persons who—

(*a*) shall have pursued an approved course of study in a University college or laboratory or in an affiliated or approved college or have been exempted therefrom in the manner prescribed and shall have passed the prescribed examinations of the University ; or

(*b*) shall have carried on research under conditions prescribed ;

(14) to confer honorary degrees or other distinctions on the recommendation of not less than two-thirds of the members of the Syndicate ;

(15) to establish and maintain hostels ;

(16) to institute, after consultation with the Academic Council, fellowships, travelling fellowships, scholarships, studentships, bursaries, exhibitions, medals and prize ;

(17) to prescribe the fees to be charged for the approval and affiliation of colleges, for admission to the examinations, degrees and diplomas of the University, for the registration of graduates, for the renewal of such registration and for all or any of the purposes specified in section 4-A ;

(18) to consider and take such action as it may deem fit on the annual report, the annual accounts and the financial estimates ;

(19) to institute, after consultation with the Academic Council, a University Extension Board and to maintain it ;

(20) to institute, after consultation with the Academic Council, a Publication Bureau, Students' Unions, Employment Bureau and University Athletic Clubs and other similar Associations and to maintain them;

(21) to enter into any agreement with the Central or any State Government or with a private management for assuming the management of any institution and for taking over its properties and liabilities or for any other purposes not repugnant to the provisions of this Act ;

(22) to make Statutes regulating the method of election to the authorities of the University and the procedure at the meeting of the Senate, the Syndicate and other authorities of the University and the quorum of members required for the transaction of business by the authorities of the University other than the Senate ;

(23) to recommend to the State Government the recognition of any area within the State of Madras except the area comprising the revenue districts or Madurai, Ramanathapuram, Tirunelveli and Kanyakumari as a University Centre ;

(24) to co-operate with other Universities, other academic authorities and colleges in such manner and for such purposes as it may determine ; and

(25) to delegate such of its powers as it may deem fit to any authority or authorities of the University constituted under this Act."

Amendment of section 17, Madras Act VII of 1923.

15. In section 17 of the principal Act, in sub-section (2), for the words "thirty-five members," the words "twenty-five members" shall be substituted.

Amendment of section 18, Madras Act VII of 1923.

16. In section 18 of the principal Act,—

(1) for sub-section (*a*), the following sub-section shall be substituted, namely:—

" (*a*) the Syndicate shall, in addition to the Vice-Chancellor, consist of the following persons, namely :—

Ex-Officio Members.

(1) The Director of Higher Education, Madras ; and

(2) the Director of Technical Education, Madras.

Other Members.

(1) Six members elected by the Senate from among its members ;

(2) five members elected by the Academic Council from among its members of whom four shall be teachers of affiliated colleges and the remaining shall be a teacher of an approved college ; and

(3) three members nominated by the Chancellor :

Provided that no whole time University Professor, University Reader, University Lecturer or whole time teacher of the University shall be eligible for election or nomination as a member of the Syndicate." ;

(2) in sub-section (*b*), in the third proviso, after the words " University Professor," the words " University Reader, University Lecturer " shall be inserted.

Amendment of section 19, Madras Act VII of 1923.

17. In section 19 of the principal Act,—

(i) in clauses (*g*) and (*h*), for the words " Professors and Readers," the words " Professors, Readers and Lecturers " shall be substituted ;

(ii) for clause (*i*), the following clause shall be substituted, namely :—

" (i) to accept on behalf of the University endowments, bequests, donations, grants and transfers of any movable and immovable properties made to it provided that all such endowments, bequests, donations, grants and transfers shall be reported to the Senate at its next meeting ;";

(iii) for clauses (*j*), (*k*) and (*l*), the following clauses shall be substituted, namely :—

" (*j*) to raise on behalf of the University loans required for the purposes of this Act from the Central or any State Government or the University Grants Commission or any corporation owned or controlled by the Central or any State Government ;

(*jj*) to affiliate colleges to the University and to recognise colleges as approved colleges ;

(*jjj*) to recognise hostels not maintained by the University and to suspend or withdraw recognition of any hostel which may not be conducted in accordance with the Ordinances and the conditions imposed thereunder ;

(*k*) to arrange for and direct the inspection of all University colleges, affiliated and approved colleges, and hostels ;

(*l*) to prescribe in consultation with the Academic Council, the qualifications of teachers in University colleges, affiliated and approved colleges and hostels ;" ;

(iv) for clause (*t*), the following clause shall be substituted, namely :—

" (*t*) to manage University Centres, University colleges and laboratories, libraries, museums, institutes of research and other institutions established or maintained by the University ;";

(v) for clause (*w*), the following clauses shall be substituted, namely :—

" (*w*) to regulate the working of the University Extension Board ;

(*ww*) to manage any Publication Bureau, Students' Unions, Employment Bureau and University Athletic Clubs and other similar associations instituted by the University ;

(*www*) to review the instruction and teaching of the University ;

(*wwww*) to promote research within the University and to require reports from time to time of such research ;".

Substitution of new section for section 21, Madras Act VII of 1923.

18. For section 21 of the principal Act, the following section shall be substituted, namely :—

"21. *Annual accounts.*—(1) The annual accounts of the University shall be prepared by the Syndicate and shall be submitted to such examination and audit as the State Government may direct.

(2) The University shall settle objections raised in such audit and carry out such instructions as may be issued by the State Government on the audit report.

(3) The accounts when audited shall be published by the Syndicate in such manner as may be prescribed by the Ordinances and copies thereof shall be submitted to the Senate at its next meeting and to the State Government within three months of such publication.

(4) The Syndicate shall also prepare before such date as may be prescribed by the Statutes the financial estimates for the ensuing year.

(5) The financial estimates prepared by the Syndicate together with the remarks of the Finance Committee thereon and the annual accounts shall be placed before the Senate for approval at its annual meeting and the Senate may pass resolutions with reference thereto and communicate the same to the Syndicate which shall take action in accordance therewith."

Substitution of new heading for the heading under Chapter V, Madras Act VII of 1923.

19. For the heading under Chapter V, the following heading shall be substituted, namely :—

"THE ACADEMIC COUNCIL, THE FACULTIES, THE BOARDS OF STUDIES, THE FINANCE COMMITTEE AND OTHER AUTHORITIES.".

Amendment of section 23, Madras Act VII of 1923.

20. In section 23 of the principal Act,—

(i) for the heading, the following heading shall be substituted, namely :—

" *Constitution of the Academic Council.*" ;

(ii) for sub-section (*a*), the following sub-section shall be substituted, namely :—

" (*a*) The Academic Council shall, in addition to the Vice-Chancellor, consist of the following persons, namely :—

Ex-Officio Members.

(1) The Director of Higher Education, Madras ;

(2) The Director of Secondary Education, Madras ;

(3) The Director of Technical Education, Madras ;

(4) The Heads of University Departments of Study and Research ;

(5) Members of the Syndicate who are not otherwise members of the Academic Council ;

(6) The Librarian of the University Library ;

(7) The principals of post-graduate colleges and professional colleges excluding training colleges ;

(8) The principals of all other affiliated colleges excluding training colleges who have served as principals for not less than three years.

Other Members.

(1) Five members elected by the Senate from among its members who are not engaged in teaching ;

(2) Five members elected by the principals of affiliated training colleges from among themselves ;

(3) Five members elected by the teachers of affiliated training colleges, including physical directors but excluding principals, tutors, demonstrators and physical instructors of such colleges, from among themselves ;

(4) Three members elected by the teachers of approved colleges including principals and physical directors but excluding tutors, demonstrators and physical instructors of such colleges, from among themselves of whom two shall be from colleges providing courses of study for admission to the examinations for titles

and diplomas of the University and the remaining shall be from colleges providing courses of study for admission to the pre-University examination of the University ;

(5) One member from each post-graduate college who is not the principal of such college, elected by the teachers of the college, including physical directors but excluding the principal, tutors, demonstrators and physical instructors, from among themselves ;

(6) One member from each professional college, not being an affiliated training college, who is not the principal of such college elected by the teachers of the college including physical directors but excluding the principal, tutors, demonstrators and physical instructors, from among themselves ;

(7) One member from each affiliated college other than a post-graduate college or a professional college including an affiliated training college who is not the principal of such college elected by the teachers of the college, including physical directors but excluding the principal, tutors, demonstrators and physical instructors, from among themselves ;

(8) One member elected by headmasters of high schools in each of the following revenue districts or groups of revenue districts, from among themselves, namely :—

(*a*) Coimbatore and the Nilgiris,
(*b*) Salem and Dharmapuri,
(*c*) North Arcot,
(*d*) Chingleput and Madras,
(*e*) South Arcot,
(*f*) Thanjavur,
(*g*) Tiruchirappalli;

(9) Six members nominated by the Chancellor on the recommendation of the Vice-Chancellor to represent Tamil, Sanskrit, Hindi and other languages ; and

(10) One member nominated by the Chancellor on the recommendation of the Vice-Chancellor to represent physical education." ;

(iii) for the third proviso to sub-section (*b*), the following proviso shall be substituted, namely :—

" Provided also that a member elected by the Senate from its own body who is not engaged in teaching shall cease to be a member of the Academic Council if he subsequently becomes engaged in teaching.".

Amendment of section 24, Madras Act VII of 1923.

21. In section 24 of the principal Act,—

(i) in clause (*g*), for the words " Commerce, Oriental Learning, Indian System of Medicine, Fine Arts," the words " Commerce, Indian and other languages, Indian System of Medicine, Veterinary Science, Fine Arts " shall be substituted ;

(ii) for clause (*j*), the following clauses shall be substituted, namely :—

" (*j*) to advise the Syndicate on the promotion of research in the University ;

(*jj*) to receive and to call for and to consider reports from the Syndicate reviewing the instruction and teaching of the University and the research work done in the University ; and. "

Amendment of section 25, Madras Act VII of 1923.

22. (i) Section 25 of the principal Act shall be renumbered as sub-section (1) of that section, and in sub-section (1) as so renumbered, for the words " Teaching, Agriculture, Commerce, Oriental Learning, Fine Arts," the words " Technology, Teaching, Agriculture, Commerce, Indian and other languages, Indian System of Medicine, Veterinary Science, Fine Arts " shall be substituted ;

(ii) after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely :—

" (2) Notwithstanding anything contained in sub-section (1), the Academic Council may, on the recommendation of the Syndicate, appoint any teacher of the University as a member of a Faculty.".

Insertion of new section 26 in Madras Act VII of 1923.

23. After section 25-A of the principal Act, the following section shall be inserted, namely :—

" 26. *Finance Committee.*—(1) The Finance Committee shall consist of the following five members, namely :—

(i) The Vice-Chancellor ;

(ii) The Secretary to Government in-charge of Education ;

(iii) Three members nominated by the Syndicate from among its members.

(2) If for any reason the officer referred to in clause (ii) of sub-section (1) is unable to attend any meeting of the Finance Committee, he may depute any officer of the Department to attend such meeting. The officer so deputed shall have the right to take part in the discussions of the Committee and shall have the right to vote.

(3) (i) The Syndicate shall, in the manner prescribed by the Ordinances, prepare the financial estimates of the University and place the same before the Finance Committee.

(ii) The Finance Committee shall then scrutinise the said estimates and may make such modifications therein as it considers necessary.

(iii) The said estimates, as modified by the Finance Committee, shall then be laid before the Syndicate for consideration. The Syndicate may accept the modifications made by the Finance Committee and place the estimates as so modified before the Senate for approval. If the Syndicate does not accept the modifications, it shall place before the Senate the estimates, the modifications made or the objections raised by the Finance Committee and the reasons for the non-acceptance. The Senate shall consider the estimates so laid before it and shall sanction the same either without modifications or with such modifications as it thinks fit :

Provided that the Senate shall not make any modifications in the estimates which have the effect of increasing the estimates of expenditure or reducing the estimates of income.".

Amendment of section 29, Madras Act VII of 1923.

24. In section 29 of the principal Act,—

(i) in clause (*a*), after the word " constitution," the words " or reconstitution " shall be inserted ;

(ii) in clause (*b*), for the words " local areas," the words " any area within the State of Madras except the area comprising the revenue districts of Madurai, Ramanathapuram, Tirunelveli, and Kanyakumari " and for the words" University Centres," the words " University Centre " shall be substituted ;

(iii) for clause (*c*) the following clause shall be substituted, namely :—

" (*c*) the conditions of recognition of approved colleges and of affiliation to the University of affiliated colleges ;";

(iv) in clause (*j*) after the word " pension," the word " gratuity " shall be inserted.

Amendment of section 30, Madras Act VII of 1923.

25. In section 30 of the principal Act,—

(i) in sub-section (3), for the words " Where any Statute has been passed by the Senate or a draft of a Statute has been rejected by the Senate," the words " Where any Statute has been passed by the Senate or a draft of a Statute recommended by the Syndicate has been rejected by the Senate " shall be substituted ;

(ii) for clause (*b*) of sub-section (4), the following clause shall be substituted, namely :—

" (*b*) affecting the conditions of affiliation or approval of affiliated or approved colleges, with the University or by the University, as the case may be,

except after consultation with the Academic Council.".

Amendment of section 34, Madras Act VII of 1923.

26. In section 34 of the principal Act, after the words "student of the University," the words "other than the non-collegiate students" shall be inserted.

Substitution of new sections for sections 35 and 36, Madras Act VII of 1923.

27. For sections 35 and 36 of the principal Act, the following sections shall be substituted, namely :—

"35. *Admission to University examinations.*—No candidate shall be admitted to any University examination unless he is enrolled as a member of a University college or laboratory or of an affiliated or approved college and has satisfied the requirements as to the attendance required under the Regulations for the same or unless he is exempted from such requirement of enrolment or attendance or both by an order of the Syndicate passed on the recommendation of the Academic Council made under the Regulations prescribed. Exemptions granted under this section shall be subject to such condition as the Syndicate may think fit.

36. *Admission to University courses*—(1) No person shall be admitted to the pre-University course or other entrance courses of study in the University unless he—

(i) has passed the Matriculation examination ; or

(ii) holds the Secondary School-Leaving Certificate and has been declared eligible by the Syndicate under conditions prescribed by the University authorities concerned for such course or courses of study; or

(iii) has passed an examination of any other University or authority recognised by the Syndicate as equivalent to the examinations specified in clause (i) or clause (ii) and

(iv) fulfils such other conditions as may be prescribed by the Syndicate.

(2) No person shall be admitted to a course of study in the University for admission to the examination for degrees of the University in Arts and Science unless he—

(i) has passed the pre-University examination of the University ; or

(ii) has passed an examination of any other University or authority recognised by the Syndicate as equivalent to the examination referred to in clause (i) ; and

(iii) fulfils such other conditions as may be prescribed by the Syndicate.

(3) No person shall be admitted to a course of study in the University for admission to the examination for a professional degree of the University unless he—

(i) has passed the relevant examination prescribed therefor by the Syndicate.

(ii) has obtained such minimum percentage of marks in such subjects in the relevant examination as may be prescribed by the Syndicate ; and

(iii) fulfils such other conditions as may be prescribed by the Syndicate.

(4) No person shall be admitted to any course of study for admission to the examinations for titles, diplomas or certificates of the University unless he—

(i) has passed the entrance test prescribed therefor by the Syndicate and

(ii) fulfils such other conditions as may be prescribed by the Syndicate.

(5) Every candidate for a University examination shall, unless exempted from the provisions of this sub-section by a special order of the Syndicate made on the recommendation of the Academic Council, be enrolled as a member of a University college or laboratory or of an affiliated or approved college. Any such exemption may be made subject to such conditions as the Syndicate may think fit.

(6) Students exempted from the provisions of sub-section (5) and students admitted in accordance with the conditions prescribed to courses of study other than courses of study for a degree shall be non-collegiate students of the University.".

Substitution of new sections for sections 38, 39 and 40, Madras Act VII of 1923.

28. For sections 38, 39 and 40 of the principal Act, the following sections shall be substituted, namely:—

" 38. *Filling of casual vacancies.*—All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled as soon as conveniently may be, by the person or body who or which nominated or elected the member whose place has become vacant and the person nominated or electeed to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member :

Provided that vacancies arising by efflux of time among elected members of any authority or other body of the University may be filled at elections which may be fixed by the Vice-Chancellor to take place on such days not earlier than two months from the date on which the vacancies arise, as he thinks fit :

Provided further that no casual vacancy shall be filled if such vacancy occurs within six months before the date of the expiry of the term of the members of any authority or other body of the University.

39. *Proceedings of the University authorities and bodies not invalidated by vacancies.*—No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of any vacancy or of any defect or irregularity in the election or appointment of a member of any authority or other body of the University or of any defect or irregularity in such act or proceeding not affecting the merits of the case or on the ground only that the Senate did not meet twice in any year.

40. *Removal from membership of the University.*—(1) The Senate may,—

(*a*) on the recommendation of not less than two-thirds of the members of the Syndicate remove by an order in writing made in this behalf the name of any person from the register of graduates ; or

(*b*) remove by an order in writing made in this behalf any person from membership of any authority of the University by a resolution passed by a majority of the total membership of the Senate and by a majority of not less than two-thirds of the members of the Senate present and voting at the meeting, if such person has been convicted by a criminal Court for an offence which in the opinion of the Senate involves moral turpitude or if he has been guilty of gross misconduct and for the same reason, may withdraw any degree or diploma conferred on, or granted to, that person by the University.

(2) The Senate may also by an order in writing made in this behalf remove any person from the membership of any authority of the University if he becomes of unsound mind or deaf-mute or suffers from leprosy or has applied to be adjudicated or had been adjudicated as an insolvent.

(3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken.

(4) A copy of every order passed under sub-section (1) or sub-section (2), as the case may be, shall, as soon as may be after it is so passed, be communicated to the person concerned in the manner prescribed by Regulations.".

Amendment of section 41, Madras Act VII of 1923.

29. In section 41 of the principal Act, for the words " any authority of the University," the words " any authority or other body of the University ". shall be substituted.

Substitution of new section 44, Madras Act VII of 1923.

30. For section 44 of the principal Act, the following section shall be substituted, namely :—

" 44. *Funds of the University.*—The University shall have a fund to which shall be credited—

(1) its income from fees, endowments, grants, donations and gifts, if any ; and

(2) any contribution by the Central Government, any State Government, the University Grants Commission or like authority, any local authority or any other corporation owned or controlled by the Central or any State Government.".

Amendment of section 50, Madras Act VII of 1923.

31. Section 50 of the principal Act shall be re-numbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely :—

"(2) Every order issued under sub-section (1) shall, as soon as possible after it is issued, be placed on the table of both Houses of the Legislature and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such order or both Houses agree that the order should not be issued, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.".

Substitution of new sections for section 53, Madras Act VII of 1953.

32. For section 53 of the principal Act, the following sections shall be substituted, namely :—

"53. *Report on affiliated and approved colleges.*—The Senate shall, at the end of every five years from the date of the commencement of the Madras University (Amendment) Act, 1966, submit a report to the State Government on the condition of affiliated and approved colleges. The State Government shall lay the report on the table of both Houses of the Legislature and shall take such action on it as they deem fit.

54. *Power to obtain information.*—Notwithstanding anything contained in this Act or any other law for the time being in force, the State Government may, by order in writing call for any information from the University on any matter relating to the affairs of the University and the University shall, if such information is available with it furnish the State Government with such information within a reasonable period :

Provided that in the case of information which the University considers confidential, the University may inform the State Government that such information cannot be made available to the State Government and shall place the same before the Chancellor.

54-A. *Registration of graduates.*—(1) Every person ordinarily resident in the State of Madras except the area comprising the revenue districts of Madurai, Ramanathapuram, Tirunelveli and Kanyakumari, who—

(i) has been for at least three years a graduate of any University in the territory of India ; or

(ii) is a registered graduate of any University in the territory of India,

shall be entitled to have his name entered in the register of graduates maintained under this Act for a period of five years on payment of such fee and subject to such conditions as may be prescribed by the Statutes.

(2) All applications for registration under sub-section (1) shall be sent to the Registrar together with the prescribed fee and such proof of qualifications as may be prescribed by the Statutes.

(3) The Registrar shall, on receipt of an application made under sub-section (2) and after making such enquiry as he deems fit, enter in the register of graduates the name of the applicant.

(4) Every person whose name has been entered in the register of graduates under sub-section (3) shall be entitled to have such entry renewed every five years on application made in that behalf to the Registrar within such time, in such manner and on payment of such fee as may be prescribed by the Statutes.".

Constituent and Oriental colleges to be deemed to be affiliated and approved colleges.

33. (1) All colleges which, immediately before the date of the commencement of this Act,—

(*a*) continue to be recognised by the University of Madras as Constituent colleges or as Oriental colleges ; and

(*b*) provide courses of study for admission to the examinations for degrees of the University of Madras,

shall be deemed to be colleges affiliated to the University of Madras under the principal Act as amended by this Act and the provisions of the principal Act as amended by this Act shall, as far as may be, apply accordingly.

(2) All colleges which immediately before the date of the commencement of this Act continue to be recognised by the University of Madras as—

(*a*) Oriental colleges providing courses of study for admission to the examinations of the University of Madras for titles and diplomas ; and

(*b*) colleges providing courses of study for admission to the pre-University examination of the University of Madras,

shall be deemed to be colleges approved by the University of Madras under the principal Act as amended by this Act and the provisions of the principal Act as amended by this Act shall, as far as may be, apply accordingly.

Continuance in office of members of the University of Madras.

34. Notwithstanding anything contained in the principal Act, or in this Act, all persons holding office as members of the Senate, the Syndicate and the Academic Council on the date of the commencement of this Act shall continue to hold office up to such date as the State Government may, by notification, fix in this behalf, or where no such date is fixed, up to the date on which their term of office would have expired if this Act had not come nto force.

Continuance in office of the Vice-Chancellor of the University of Madras.

35. The Vice-Chancellor of the University of Madras holding office on the date of the commencement of this Act shall be deemed to be the Vice-Chancellor appointed under the principal Act as amended by this Act and shall continue to hold office up to the date on which his term of office would have expired if this Act had not come into force.

Act not to apply to certain colleges and institutions.

36. Nothing contained in the principal Act as amended by this Act, shall apply to colleges and institutions situate in the area comprising the revenue districts of Madurai, Ramanathapuram, Tirunelveli and Kanyakumari.

THE MADRAS GENERAL SALES TAX (AMENDMENT) ACT, 1966.

[*Received the assent of the Governor on the* 28*th February*, 1966.
Published in the Fort St. George Gazette (Extraordinary), *Part IV, section* 4, *page* 61, *dated the* 3*rd March*, 1966.]

ACT No. III OF 1966.

An Act further to amend the Madras General Sales Tax Act, 1959.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title.

1. This Act may be called the MADRAS GENERAL SALES TAX (AMENDMENT) ACT, 1966.

Amendment of section 30, Madras Act I of 1959.

2. In section 30 of the Madras General Sales Tax Act, 1959 (Madras Act I of 1959), for sub-section (1-A), the following sub-section shall be substituted, namely :—

" (1-A) Notwithstanding anything contained in sub-section (1), the Government may, from time to time, appoint such number of persons to be additional members of the Appellate Tribunal as the Government may deem necessary and for such period as may be specified in this behalf ;

Provided that as nearly as may be one-half of such additional members shall be Judicial Officers not below the rank of a Subordinate Judge and the remaining additional members shall possess such qualifications as may be prescribed ".

THE MADRAS ESSENTIAL ARTICLES CONTROL AND REQUISITIONING (TEMPORARY POWERS) AMENDMENT ACT, 1966.

[*Received the assent of the Governor on the* 2*nd March*, 1966.
Published in the Fort St. George Gazette (Extraordinary), *Part IV*, *section* 4, *page* 63, *dated the* 4*th March*, 1966.]

ACT No. IV OF 1966.

An Act further to amend the Madras Essential Articles Control and Requisitioning (Temporary Powers), Act, 1949.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title. 1. This Act may be called THE MADRAS ESSENTIAL ARTICLES CONTROL AND REQUISITIONING (TEMPORARY POWERS) AMENDMENT ACT, 1966.

Amendment of section 1, Madras Act XXIX of 1949. 2. In sub-section (3) of section 1 of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949 (Madras Act XXIX of 1949), for the words, figures and letters " the 25th January, 1966 " the words, figures and letters " the 25th January, 1957 " shall be substituted.

Repeal. 3. The Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Ordinance, 1966 (Madras Ordinance I of 1966), is hereby repealed.

THE MADRAS APPROPRIATION ACT, 1966.

[*Received the assent of the Governor on the* 30*th March*, 1966.
Published in the Fort St. George Gazette (Extraordinary) *Part IV*, *section* 4, *page* 65, *dated the* 30*th March*, 1966.]

ACT No. V OF 1966.

An Act to provide for the appropriation of moneys out of the Consolidated Fund of the State for the services of the financial year commencing on the 1*st April*, 1966.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India, as follows :—

Short title. 1. This Act may be called THE MADRAS APPROPRIATION ACT, 1966.

Appropriation out of the Consolidated Fund for the financial year commencing on the 1st April, 1966. 2. The State Government may appropriate out of the Consolidated Fund of the State for the financial year commencing on the 1st April, 1966, a sum not exceeding four hundred and thirteen crores, fifty-three lakhs, and seven hundred rupees, being moneys required to meet—

(*a*) the grants made by the Madras Legislative Assembly for that year, as set forth in column (3) of the Schedule; and

(*b*) the expenditure charged on the Consolidated Fund of the State for that year, as set forth in column (4) of the Schedule.

THE SCHEDULE.

Demand number	Services and purposes.	Sums not exceeding — Voted by the Legislative Assembly.	Sums not exceeding — Charged on the Consolidated Fund of the State.	Sums not exceeding — Total.
(1)	(2)	(3)	(4)	(5)
		Rs.	Rs.	Rs.
I	Land Revenue Department.	1,17,40,900	500	1,17,41,400
II	Motor Vehicles Acts—Administration.	25,30,700	..	25,30,700
III	General Sales Tax and Other Taxes and Duties—Administration.	1,15,79,600	3,200	1,15,82,800
IV	Stamps Administration.	32,08,400	..	32,08,400
V	Registration Department	69,90,200	100	69,90,300
	Debt Charges ..	..	25,49,02,900	25,49,02,900
VI	State Legislature	17,26,500	63,000	17,89,500
VII	Elections	59,84,600	..	59,84,600
VIII	Head of State Ministers and Headquarters Staff	3,22,10,000	14,24,600	3,36,34,600
IX	District Administration and Miscellaneous.	7,19,51,900	32,500	7,19,84,400
X	Administration of Justice	1,74,70,900	22,32,800	1,97,03,700
XI	Jails ..	1,94,39,400	..	1,94,39,400
XII	Police ..	10,07,68,600	300	10,07,68,900
XIII	Education ..	45,30,53,500	..	45,30,53,500
XIV	Medical ..	10,98,50,600	100	10,98,50,700
XV	Public Health ..	5,46,75,700	100	5,46,75,800
XVI	Agriculture ..	10,65,19,500	2,100	10,65,21,600
XVII	Fisheries ..	99,91,900	..	99,91,900
XVIII	Animal Husbandry ..	3,34,49,700	100	3,34,49,800
XIX	Co-operation ..	2,72,73,300	..	2,72,73,300
XX	Industries ..	1,82,64,100	..	1,82,64,100
XXI	Cinchona ..	26,79,500	..	26,79,500
XXII	Khadi ..	26,83,000	..	26,83,000
XXIII	Community Development Projects, etc. ..	6, 45,21,400	..	6,45,21,400
XXIV	Labour including Factories ..	2,19,16,200	100	2,19,16,300
XXV	Welfare of the Scheduled Tribes, Castes and other Backward Classes	5,30,15,500	100	5,30,15,600
XXVI	Irrigation ..	6,99,84,800	..	6,99,84,800
XXVII	Public Works—Works	6,60,94,400	2,71,000	6,63,65,400
XXVIII	Public Works—Establishment and Tools and Plant	2,68,86,800	..	2,68,86,800
XXIX	Public Works—Grants-in-aid	2,55,75,700	..	2,55,75,700
XXX	Road Transport Schemes	8,70,97,100	2,50,000	8,73,47,100
XXXI	Famine Relief ..	11,14,300	50,00,000	61,14,300
XXXII	Pensions ..	3,65,25,900	4,44,100	3,69,70,000
XXXIII	Miscellaneous ..	4,34,41,900	15,48,500	4,49,90,400
XXXIV	Stationery and Printing.	2,21,36,500	20,600	2,21,57,100
XXXV	Forest Department.	1,51,51,200	100	1,51,51,300
XXXVI	Other Miscellaneous Compensations and Assignments.	4,65,25,000	22,33,000	4,87,58,000
XXXVII	Compensation to Zamindars.	9,50,000	..	9,50,000
XXXVIII	Capital Outlay on Public Health	80,900	..	80,900
XXXIX	Capital Outlay on Agriculture.	39,93,100	2,00,000	41,93,100

Demand number	Services and purposes.	*Sums not exceeding* Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.	Total.
(1)	(2)	(3)	(4)	(5)
		Rs.	Rs.	Rs.
XL	Capital Outlay on Consumer Co-operatives.	19,000	..	19,000
XLI	Capital Outlay on Industrial Development	8,88,17,500	..	8,88,17,500
XLII	Capital Outlay on Irrigation.	9,79,87,900	..	9,79,87,900
XLIII	Capital Outlay on Public Works.	5,00,70,400	..	5,00,70,400
XLIV	Capital Outlay on Road Transport Schemes	2,13,54,000	100	2,13,54,100
XLV	Capital Outlay on Forests	92,92,200	..	92,92,200
XLVI	Commuted Value of Pensions.	3,01,500	11,000	3,12,500
XLVII	Capital Outlay on Schemes of Government Trading	74,36,98,300	..	74,36,98,300
XLVIII	Loans and Advances by the State Government.	32,34,26,800	..	32,34,26,800
	Public Debt—Repayment.	..	84,26,39,000	84,26,39,000
	Grand total ..	3,02,40,20,800	1,11,12,79,900	4,13,53,00,700

THE MADRAS APPROPRIATION (NO. 2) ACT, 1966.

[*Received the assent of the Governor on the* 30*th March,* 1966.
Published in the Fort St. George Gazette (Extraordinary), *Part IV, section* 4, *page* 69, *dated the* 30*th March,* 1966.]

ACT No. VI OF 1966.

An Act to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the services of the financial year which commenced on the 1*st April,* 1965.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India, as follows :—

Short title.

1. This Act may be called THE MADRAS APPROPRIATION (No. 2) ACT, 1966.

Supplementary appropriation out of the Consolidated Fund of the financial year which commenced on the 1st April 1965.

2. The State Government may appropriate out of the Consolidated Fund of the State, for the financial year which commenced on the 1st April, 1965, a further sum not exceeding twenty-one crores, thirty-two lakhs, fifty-eight thousand and two hundred rupees, being moneys required to meet—

(*a*) the Supplementary Grants made by the Madras Legislative Assembly for that period, as set forth in column (3) of the Schedule ; and

(*b*) the Supplementary Expenditure charged on the Consolidated Fund of the State for that period as set forth in column (4) of the Schedule.

THE SCHEDULE.

Demand number	Services and purposes	Sums not exceeding — Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total
(1)	(2)	(3)	(4)	(5)
		Rs.	Rs.	Rs.
I	Land Revenue Department ..	17,31,900	..	17,31,900
II	Motor Vehicles Acts—Administration ..	3,10,500	..	3,10,500
III	General Sales Tax and other Taxes and Duties—Administration	15,43,100		15,,43,100
V	Registration Department	8,06,900	..	8,06,900
	Debt Charges ..	..	97,93,000	97,93,000
VI	State Legislature ..	76,600	..	76,600
VII	Elections ..	..	400	400
VIII	Head of State, Ministers and Headquarters Staff.	48,54,600	2,75,800	51,30,400
X	Administration of Justice.	1,04,400	18,45,700	19,50,100
XI	Jails ..	35,89,700	..	35,89,700
XII	Police ..	1,46,59,500	..	1,46,59,500
XIII	Education ..	1,58,98,900	..	1,58,98,900
XIV	Medical ..	1,08,12,500	..	1,08,12,500
XV	Public Health ..	2,10,400	..	2,10,400
XVI	Agriculture ..	75,64,600	28,500	75,93,100
XVII	Fisheries ..	17,32,500	3,55,400	20,87,900
XVIII	Animal Husbandry ..	46,82,100	..	46,82,100
XIX	Co-operation ..	45,95,500	..	45,95,500
XX	Industries ..	400	..	400
XXI	Cinchona ..	2,98,000	..	2,98,000
XXIII	Community Development Projects, etc. ..	85,00,200	..	85,00,200
XXIV	Labour including Factories.	39,80,500	..	39,80,500
XXV	Welfare of the Scheduled Tribes, Castes and other Backward Classes ..	48,38,000	..	48,38,000
XXVI	Irrigation ..	44,64,400	..	44,64,400
XXVII	Public Works—Works..	1,08,51,700	2,01,900	1,10,53,600
XXVIII	Public Works—Establishment and Tools and Plant ..	56,23,000	..	56,23,000
XXIX	Public Works—Grants-in-aid ..	1,98,700	..	1,98,700
XXX	Road Transport Schemes.	31,75,900	..	31,75,900
XXXI	Famine Relief ..	29,93,500	..	29,93,500
XXXIII	Miscellaneous ..	1,800	80,900	82,700
XXXIV	Stationery and Printing..	200	8,300	8,500
XXXV	Forest Department. ..	16,48,700	..	16,48,700
XXXVI	Other Miscellaneous Compensations and Assignments ..	41,26,300	300	41,26,600
XXXIX	Capital Outlay on Agriculture ..	26,25,500	25,600	26,51,100
XL	Capital Outlay on Consumers' Co-operatives.	5,90,500	..	5,90,500
XLI	Capital Outlay on Industrial Development ..	76,80,800	67,500	77,48,300
XLII	Capital Oulay on Irrigation ..	21,15,700	..	21,15,700
XLIII	Capital Outlay on Public Works ..	69,17,200	..	69,17,200
XLIV	Capital Outlay on Road Transport Schemes ,,	57,500	..	57,500

Demand number.	Services and purposes.	Sums not exceeding: Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.	Total.
(1)	(2)	(3)	(4)	(5)
		Rs.	Rs.	Rs.
XLVI	Commuted Value of Pensions. ..	2,15,500	..	2,15,500
XLVII	Capital Outlay on Schemes of Government Trading.	400	11,200	11,600
XLVIII	Loans and Advances by the State Government.	3,08,15,600	..	3,08,15,600
	Public Debt—Repayment ..	..	2,56,70,000	2,56,70,000
	Grand total ..	17,48,93,700	3,83,64,500	21,32,58,200

THE MADRAS AGRICULTURAL INCOME-TAX (AMENDMENT) ACT, 1966.

[*Received the assent of the Governor on the* 26*th April*, 1966.
Published in the Fort St. George Gazette (Extraordinary), *Part IV*, *Section* 4, *page* 77, *dated* 29*th April*, 1966.]

ACT No. VII OF 1966.

An Act further to amend the Madras Agricultural Income-tax Act, 1955.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS AGRICULTURAL INCOME-TAX (AMENDMENT) ACT, 1966.

(2) It shall come into force on such date as the State Government may by notification, appoint.

Amendment of section 14, Madras Act V of 1955.

2. In section 14 of the Madras Agricultural Income-tax Act, 1955 (Madras Act V of 1955) (hereinafter referred to as the principal Act),—

(*a*) in sub-section (2),—

(i) for clause (*a*), the following clause shall be substituted, namely :—

" (*a*) The authorities specified in clauses (*b*) and (*c*) of sub-section (1) shall be appointed by the Government and the authorities specified in clause (*d*) of sub-section (1) shall be appointed by the Commissioner." ;

(ii) in clause (*b*), for the expression " The authorities specified in sub-section (1)," the expression " The authorities specified in clauses (*a*) to (*c*) of sub-section (1) " shall be substituted ;

(iii) after clause (*b*), the following clause shall be added, namely :—

" (*c*) The authorities specified in clause (*d*) of sub-section (1) shall exercise and perform in such areas, such powers and duties as the Commissioner may, by notification in the *Fort St. George Gazette*, determine. ";

(*b*) in sub-section (3), for the words " The Government may," the words " The Government or the Commissioner may " shall be substituted.

Amendment of section 16, Madras Act V of 1955.

3. In sub-section (1) of section 16 of the principal Act, for the portion beginning with the words " Every person " and ending with the word and figures " section 65 ", the following shall be substituted, namely :—

" Subject to the provisions of section 65, every person who held land in excess of the exempted extent at any time during the previous year shall."

Insertion of new section 19-A in Madras Act V of 1955.

4. After section 19 of the principal Act, the following section shall be inserted, namely :—

" 19-A. *Re-assessment of income in certain cases.*—If in the return of the total agricultural income submitted by any person for the previous year immediately preceding the year covered by an application for permission to compound under section 65, the value of any closing stock of agricultural produce for the said previous year has not been taken into account in computing the said total agricultural income in accordance with the method of accounting then employed by the assessee, the Agricultural Income-tax Officer may, if he grants such permission to compound, re-assess the total agricultural income of such person for that previous year after taking into account the value of the closing stock of such agricultural produce and the provisions of this Act shall, as far as may be, apply in relation to such re-assessment as they apply in relation to the assessment of agricultural income-tax under this Act.".

Amendment of section 31, Madras Act V of 1955.

5. In sub-section (1) of section 31 of the principal Act, after the word and figures " sections 19," the figures and letter " 19-A " shall be inserted.

Amendment of section 49, Madras Act V of 1955.

6. In section 49 of the principal Act, for the words and figures "in any application under section 65," the words and figures " in any application or return under section 65 " shall be substituted.

Amendment of section 61, Madras Act V of 1955.

7. For sub-section (3) of section 61 of the principal Act, the following sub-sections shall substituted, namely :—

" (3) All rules made under this Act shall be published in the *Fort St. George Gazette* and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(4) Every rule made under this Act shall, as soon as possible, after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

Substitution of new section for section 65, Madras, Act V of 1955.

8. For section 65 of the principal Act, the following section shall be substituted, namely :—

" 65. *Composition of agricultural income-tax in respect of plantation or non-plantation crops.*—(1) Notwithstanding anything contained in this Act, but subject to the provisions of sub-section (3)—

(*a*) any person who holds land not exceeding fifty standard acres, whether such land is grown with plantation or non-plantation crops, may apply to the prescribed officer for permission to compound the agricultural income-tax payable by him and to pay in lieu thereof a lump sum at the rate or rates specified in Part II of the Schedule ;

(*b*) any person who holds land exceeding fifty standard acres, whether such land is grown with plantation or non-plantation crops and whose extent of land grown

with plantation crops does not exceed fifty standard acres, may apply to the prescribed officer for permission to compound the agricultural income-tax payable by him and to pay in lieu thereof a lump sum at the rate or rates specified in Part III of the Schedule ;

(*c*) any person who holds land exceeding fifty standard acres, whether such land is grown with plantation or non-plantation crops, but whose extent of land grown with plantation crops exceeds fifty standard acres, may apply to the prescribed officer for permission to compound the agricultural income-tax payable by him on the income derived from land grown with non-plantation crops, if any, and to pay in lieu thereof a lump sum at the rate or rates specified in Part III of the Schedule :

Provided that the rate for the first twelve and a half standard acres shall be construed to be Rs. 4.50 per standard acre.

(2) In respect of the income derived from land grown with plantation crops by the person referred to in clause (*c*) of sub-section (1), the provisions of Chapter V shall apply as if such person had no other income.

(3) No registered firm or unregistered firm treated under section 17 (5) (*b*) as a registered firm shall be entitled to apply for permission to compound under this section but any partner of such firm may apply for permission to compound the agricultural income-tax payable by him on the aggregate of the income derived by him from—

(*a*) the land held by him, individually; and

(*b*) his proportionate share of the land held by the firm.

(4) Every application under sub-section (1) shall be submitted in such form, in such manner and within such time as may be prescribed.

(5) The prescribed officer may, after satisfying himself that the particulars specified in the application are correct, by order in writing, grant the permission.

(6) Subject to the provisions of sub-section (8), the permission granted under sub-section (5) shall be in force for a period of three years commencing from the financial year for which such permission is granted.

(7) In respect of the period during which the permission granted under sub-section (5) is in force, the provisions of this Act regarding the submission of returns, accounts or other documents, the assessment to agricultural income-tax or any other matter incidental thereto shall not apply in relation to the grantee :

Provided that the provisions of sub-section (2) of section 9 and sections 35 and 36 shall, as far as may be, apply in relation to the composition of agricultural income-tax under this section as they apply in relation to the assessment of agricultural income-tax under this Act.

(8) Notwithstanding anything contained in sub-section (6), a person to whom permission has been granted under this section may opt to submit under sub-section (1) of section 16 a return of the total agricultural income for the previous year following the financial year for which such permission is granted, or during the next succeeding previous year and upon the submission of such return, the permission granted under this section shall cease to have effect and accordingly assessment shall be made under this Act.

(9) If at any time during the period when the permission granted under sub-section (5) is in force, there is a reduction in the extent of land held by the person concerned, he may apply to the prescribed officer in such form, in such manner and within such time as may be prescribed, for reducing the amount specified in the order granting such permission, and the prescribed officer may, after satisfying himself that the particulars specified in the application are correct, reduce such amount suitably.

(10) If at any time during the period when the permission granted under sub-section (5) is in force, the person concerned has acquired in any manner whatsoever any land, he shall furnish to the prescribed officer in such form, in such manner and within such time as may be prescribed, a return specifying the extent of the land acquired and the prescribed officer may, after satisfying himself that the particulars specified in the return are correct, enhance suitably the amount specified in the order granting such permission.

(11) The provisions of section 16 and other provisions of this Act shall, as far as may be, apply to a return required to be furnished under sub-section (10) as they apply to a return required to be furnished under sub-section (1) of section 16.".

Amendment of the Schedule to Madras Act V of 1955.

9. For Part II of the Schedule to the principal Act, the following Parts shall be substituted, namely :

"PART II.

[*See* section 65 (1) (*a*).]

Extent.		*Rate per standard acre.* Rs. P.
(1) On the first 12½ standard acres	..	Nil.
(2) On the next 7½ standard acres	..	4 50
(3) On the next 10 standard acres	..	7 50
(4) On the next 10 standard acres	..	10 00
(5) On the next 10 standard acres	..	15 00

Provided that in the case of every company, the lump sum payable under section 65 shall be charged at the maximum rate on the whole of the total extent of the land in respect of which the company is permitted to compound the agricultural income-tax under the said section.

PART III.

[*See* section 65 (1) (*b*).]

Extent.			*Rate per standard acre.* Rs. P.
(1) On the first 12½ standard acres	..	..	Nil.
(2) On the next 7½ standard acres	..	..	4 50
(3) On the next 10 standard acres	..	..	7 50
(4) On the next 10 standard acres	..	..	10 00
(5) On the next 10 standard acres	..	..	15 00
(6) On the next 50 standard acres	..	..	17 50
(7) On the next 50 standard acres	..	..	20 00
(8) On the balance of standard acres	..	..	25 00

Provided that in the case of every company, the lump sum payable under section 65 shall be charged at the maximum rate on the whole of the total extent of the land in respect of which the company is permitted to compound the agricultural income-tax under the said section.".

Repeal.

10. Section 34 of the Madras Plantations Agricultural Income-tax (Amendment) Act, 1958 (Madras Act XXIX of 1958) and section 14 of the Madras Agricultural Income-tax (Extension to Added Territory) Act, 1961 (Madras Act XI of 1961) are hereby repealed.

THE MADRAS CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 1966.

[Received the assent of the Governor on the 12*th May*, 1966.
Published in the Fort St. George Gazette, Part IV, section 4, *Page* 83,
dated the 18*th May*, 1966.]

ACT No. VIII OF 1966.

An Act to amend the Madras Co-operative Societies Act, 1961.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title.

1. This Act may be called THE MADRAS CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 1966.

Amendment of section 28, Madras Act LIII of 1961.

2. In section 28 the Madras Co-operative Societies Act, 1961 (Madras Act LIII of 1961) (hereinafter referred to as the principal Act), in sub-section (1),—

(i) in clause (*g*), the word " or " shall be added at the end ; and

(ii) after clause (*g*), the following clause shall be inserted, namely :—

" (*h*) has been removed from the office of the member of the committee of the registered society or of any other registered society or disqualified under section 28-A.".

Insertion of new section 28-A in Madras Act LIII of 1961.

3. In Chapter IV of the principal Act, after section 28, the following section shall be inserted, namely :—

" 28A. *Removal or disqualification.*—(1) Where in the course of an audit under section 64 or an inquiry under section 65 or an inspection under section 66 or section 67, it appears that a person who is, or was, a member of a committee has misappropriated or fraudulently retained any money or other property or been guilty of breach of trust in relation to the society or of gross or persistent negligence in connection with the conduct and management of, or of gross mismanagement of, the affairs of the society, or of misfeasance or default in carrying out his obligations and functions under the law, the Registrar may, without prejudice to any other action that may be taken against such member, by order in writing, remove such person form the office of member of committee, if he holds such office, or disqualify him from holding in future the office of a member of the committee, if he has ceased to hold such office.

(2) No person shall be removed or disqualified under sub-section (1) without being given an opportunity of making his representations. A copy of the order removing or disqualifying him shall be communicated to him.

Amendment of section 96, Madras Act LIII of 1961.

4. In section 96 of the principal Act, in sub-section (2), in clause (*a*), after the words " order under " the word, figures and letter "section 28-A" shall be inserted.

THE MADRAS ELECTRICITY DUTY (AMENDMENT) ACT, 1966.

[Received the assent of the Governor on the 18*th May*, 1966.
Published in the Fort St. George Gazette, Part IV, Section 4, *page* 107,
dated the 25*th May*, 1966.]

ACT No. IX OF 1966.

An Act further to amend the Madras Electricity Duty Act, 1939.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS ELECTRICITY DUTY (AMENDMENT) ACT, 1966.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of section 3, Madras Act V of 1939.

2. In sub-section (1) of section 3 of the Madras Electricity Duty Act, 1939 (Madras Act V of 1939) (hereinafter referred to the principal Act), for the words " three paise," the words " five paise " shall be substituted.

Substitution of new section for section 6, in Madras Act V of 1939.

3. For section 6 of the principal Act, the following section shall be substituted, namely :—

" 6. *Recovery of duty.*—Any duty due under this Act which remains unpaid—

(*a*) shall be deemed to be in arrears, and thereupon interest at the rate of twelve *per centum per annum* shall be payable on such duty ; and

(*b*) shall, together with any interest payable under clause (*a*), be recoverable either as an arrear of land revenue or by deduction from any amount payable by the State Government to the licensee.".

THE MADRAS APPROPRIATION (NO. 3) ACT, 1966.

[*Received the assent of the Governor on the* 16*th August*, 1966.
Published in the Fort St. George Gazette (Extraordinary), *Part IV, Section* 4, *page* 109, *dated the* 19*th August*, 1966.]

ACT NO. X OF 1966.

An Act to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the service of the financial year which commenced on the 1*st April*, 1966.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India, as follows :—

Short title.

1. This Act may be called the MADRAS APPROPRIATION (No. 3) ACT, 1966.

Supplementary Appropriation out of the Consolidated Fund for the financial year which commenced on the 1st April, 1966.

2. The State Government may appropriate out of the Consolidated Fund of the State, for the financial year which commenced on the 1st April, 1966, a further sum not exceeding twenty crores, seventy-one lakhs and sixty-six thousand only, being moneys required to meet—

(*a*) the supplementary grants made by the Madras Legislative Assembly for that period, as set forth in column (3) of the Schedule ; and

(*b*) the supplementary expenditure charged on the Consolidated Fund of the State for that period, as set forth in column (4) of the Schedule.

THE SCHEDULE.

		Sums not exceeding.		
Demand number.	*Services and purposes.*	*Voted by the Legislative Assembly.*	*Charged on the Consolidated Fund of the State.*	*Total.*
(1)	(2)	(3)	(4)	(5)
		RS.	RS.	RS.
III	General Sales Tax and Other Taxes and Duties—Administration ..	35,700	..	35,700
V	Registration Department ..	100	..	100
	Debt Charges ..	..	84,00,000	84,00,000
VIII	Head of State, Ministers and Headquarters Staff ..	48,000	..	48,000
XII	Police ..	14,66,000	..	14,66,000
XIII	Education ..	11,45,800	..	11,45,800
XIV	Medical ..	30,800	..	30,800

Demand number.	Services and purposes.	Sums not exceeding: Voted by the Legislative Assembly	Charge on the Consolidated Fund of the State.	Total.
(1)	(2)	(3)	(4)	(5)
		RS.	RS.	RS.
XVI	Agriculture ..	2,00,200	14,000	2,14,200
XVIII	Animal Husbandry ..	81,500	..	81,500
XIX	Co-operation ..	29,400	..	29,400
XX	Industries ..	1,00,000	..	1,00,000
XXIII	Community Development Projects, etc. ..	1,00,000	..	1,00,000
XXIV	Labour including Factories ..	54,600	..	54,600
XXV	Welfare of the Scheduled Tribes, Castes and Other Backward Classes ..	26,30,200	..	26,30,200
XXVI	Irrigation ..	300	..	300
XXVIII	Public Works—Establishment and Tools and Plant ..	1,80,000	..	1,80,000
XXIX	Public Works—Grants-in-aid..	100	..	100
XXXIII	Miscellaneous ..	2,00,00,300	..	200,00,300
XXXIV	Stationery and Printing ..	32,100		32,100
XLI	Capital Outlay on Industrial Development ..	9,00,000	..	9,00,000
XLIII	Capital Outlay on Public Works.	18,57,600	4,51,000	23,08,600
Capital	Outlay on Schemes of Government Trading ..	300	..	3,000
XLVIII	Loans and Advances by the State Government ..	3,94,08,000	..	3,94,08,000
	Public Debt Re-payment ..	..	13,00,00,000	13,00,00,000
	GRAND TOTAL ..	6,83,01,000	13,88,65,000	20,71,66,000

THE MADRAS CULTIVATING TENANTS (PROTECTION FROM EVICTION) ACT, 1966.

[*Received the assent of the President on the* 5*th September*, 1966.
Published in the Fort St. George Gazette (Extraordinary), *Part IV, Section* 4, *page* 113, *dated* 9*th September*, 1966.]

ACT No. XI OF 1966.

An Act to provide for the protection from eviction of cultivating tenants who are in arrears with respect to the rent payable to the landlords.

WHEREAS since last year there has been an unprecedented drought and the cultivating tenants are unable to pay arrears of rent to the landlords ;

AND WHEREAS it is in the interest of the general public that at the present time cultivating tenants be spared the distractions and expenditure involved in eviction proceedings launched by the landlords, in order that the maximum possible advantage may result to the State in the matter of production of food crops ;

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title, commencement.

1. (1) This Act may be called THE MADRAS CULTIVATING TENANTS (PROTECTION FROM EVICTION) ACT, 1966.

(2) It shall be deemed to have come into force on the 20th April, 1966 and shall remain in force up to and inclusive of the 19th April, 1968.

(3) Upon the expiry of this Act, the provisions of section 8 of the Madras General Clauses Act, 1891 (Madras Act I of 1891) shall apply as if this Act had then been repealed by a Madras Act.

Definitions.

2. In this Act, unless the context otherwise requires—

(*a*) " cultivating tenant " means—

(i) a cultivating tenant as defined in clause (*aa*) of section 2 of the Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955) ; or

(ii) a cultivating tenant as defined in clause (5) of section 2 of the Madras Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961 (Madras Act LVII of 1961) ; and

includes a cultivating verumpattamdar as defined in sub-clause (*b*) of clause (29) of section 3 of the Malabar Tenancy Act, 1929 (Madras Act XIV of 1930) ;

(*b*) " Malabar Tenancy Act " means the Malabar Tenancy Act, 1929, (Madras Act XIV of 1930) ;

(*c*) " Public Trusts Act " means the Madras Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961 (Madras Act LVII of 1961) ;

(*d*) " Tenants Protection Act " means the Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955) ;

(*e*) all other words and expressions used, but not defined, in this Act and defined in the Tenants Protection Act or in the Public Trusts Act or in the Malabar Tenancy Act shall have the same meaning as in the Tenants Protection Act or in the Public Trusts Act or in the Malabar Tenancy Act, as the case may be.

Cultivating tenant not to be evicted on the ground that he is in arrear.

3. During the continuance of this Act—

(i) no application under the Tenants Protection Act or under Chapter III of the Public Trusts Act shall be made by or at the instance of a landlord or a public trust for the eviction of a cultivating tenant from his holding or any part thereof on the ground that the cultivating tenant is in arrear with respect to the rent payable to the landlord or the public trust, as the case may be ;

(ii) no suit shall be filed by or at the instance of a landlord for the eviction of a cultivating verumpattamdar from his holding or any part thereof on the ground that the cultivating verumpattamdar is in arrear with respect to the rent payable to the landlord ;

(iii) no cultivating tenant shall be evicted from his holding or any part thereof by or at the instance of the landlord or the public trust concerned whether in execution of a decree or order of a Court or otherwise on the ground that the cultivating tenant is in arrear with respect to the rent payable to the landlord or the public trust, as the case may be.

Stay of applications and suits for eviction of a cultivating tenant.

4. (*a*) All applications under the Tenants Protection Act or under Chapter III of the Public Trusts Act for the evictionof a cultivating tenant, and

(*b*) all suits proceedings in execution of decrees or orders and other proceedings for the eviction of a cultivating tenant,

on the ground that he is in arrear with respect to the rent payable to the landlord or the public trust, as the case may be, and pending before a Revenue Divisional Officer, authorised officer, Court or other authority, as the case may be, shall stand stayed.

Exclusion of time for limitation.

5. In computing the period of limitation or limit of time prescribed for a suit or an application for the eviction of a cultivating tenant or an application for the execution of a decree or order for such eviction, the time during which he was protected by sections 3 and 4 from eviction shall be excluded.

Explanation.—A decree or order shall be deemed to be a decree or order for the eviction of a cultivating tenant, notwithstanding that any other relief is also granted by such decree or order.

Continuance of applications and suits and proceedings after the expiration of the Act.

6. All applications for the eviction of a cultivating tenant under the Tenants Protection Act or under Chapter III of the Public Trusts Act, as the case may be, and all suits and proceedings stayed under this Act, shall after the expiration of this Act, be proceeded with subject to the provisions of any law which may be then in force, from the stage which had been reached when the application, suit or proceeding was stayed.

Power to remove difficulties.

7. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order do anything which appears to them necessary rof the purpose of removing the difficulty.

(2) All orders made under this section shall be published in the *Fort St. George Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(3) Every order made under this section shall, as soon as possible after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

Repeal.

8. The Madras Cultivating Tenants (Protection from Eviction) Ordinance, 1966 (Madras Ordinance II of 1966) is hereby repealed.

THE MADRAS URBAN LAND TAX ACT, 1966.

[*Received the assent of the President on the* 9*th September*, 1966.
Published in the Fort St. George Gazette (Extraordinary), *Part IV*, *Section* 4, *page* 117, *dated* 10*th September*, 1966.]

ACT No. XII OF 1966.

An Act to provide for the levy of tax on urban land in the State of Madras.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

CHAPTER I.

PRELIMINARY.

Short title and commencement.

1. (1) This Act may be called THE MADRAS URBAN LAND TAX ACT, 1966.

(2) (*a*) (i) This Act, except sections 19, 47 and 48, shall be deemed to have come into force in the City of Madras on the 1st day of July, 1963 and sections 19 and 47 shall be deemed to have come into force in the City of Madras on the 21st May, 1966.

(ii) Section 48 shall come into force on the date of the publication of this Act in the *Fort St. George Gazette.*

(*b*) The Government may, by notification, direct that this Act shall come into force on such date as may be specified in the notification in—

(i) any other municipal town ; or

(ii) any township ; or

(iii) any area specified in the notification and within sixteen kilometres of the City of Madras or such municipal town or township.

(3) The Government may, by notification, cancel any notification issued under clause (*b*) of sub-section (2), but the cancellation shall not be deemed to affect the power of the Government under clause (*b*) of sub-section (2) again to bring this Act into force in such municipal town or township or area.

(4) A draft of any notification proposed to be issued under clause (*b*) of sub-section (2) or sub-section (3) shall be laid on the table of the Legislative Assembly and the notification shall not be issued unless the Assembly approves the draft either without modification or addition or with modifications or additions ; and upon such approval being given the notification shall be issued in the form in which it has been approved and such notification on being so issued shall be published in the *Fort St. George Gazette*, and shall thereafter be of full force and effect.

Definitions.

2. In this Act, unless the context otherwise requires—

(1) " assessee " means a person by whom urban land tax is payable under this Act and includes every other person in respect of whom any proceeding under this Act has been taken for the determination of the urban land tax payable by him ;

(2) " Assistant Commissioner " means the Assistant Commissioner of Urban Land Tax appointed under section 3 ;

(3) " building " includes a house, out-house, stable, latrine, godown, shed, hut, wall and any other structure, whether of masonry, bricks, mud, wood, metal or any other material whatsoever ;

(4) " Commissioner " means the Commissioner of Urban Land Tax appointed under section 3 ;

(5) " date of the commencement of this Act " means—

(i) in relation to the City of Madras, the first day of July, 1963 ; and

(ii) in relation to any other municipal town or township or area, the first day of July, of the fasli year in which the notification under clause (*b*) of sub-section (2) of section 1 is published ;

(6) " each urban land " means the land comprised in a survey number for a sub-division number ;

(7) " fasli year " means the year commencing on the first day of July ;

(8) " Government " means the State Government ;

(9) " occupier " includes—

(*a*) any person for the time being paying or liable to pay to the owner rent or any portion of the rent of the urban land or of the building constructed on the urban land or part of such land or building in respect of which the word is used or the damages on account of the occupation of such land, building or part ; and

(*b*) a rent-fee occupant ;

but does not include any person who is entitled to the kudivaram in respect of any inam land but in respect of which land any other person is entitled to the melwaram;

(10) " owner " includes—

(i) any person (including a mortgagee in possession) for the time being receiving or entitled to receive, whether on his own account or as agent, trustee, guardian, manager or receiver for another person or for any religious or charitable purposes, the rent or profits of the urban land or of the building constructed on the urban land in respect of which the word is used ;

(ii) any person who is entitled to the kudiwaram in respect of any inam land; but does not include—

(*a*) *a shrotriemdar ;* or

(*b*) any person who is entitled to the melwaram in respect of any inam land but in respect of which land any other person is entitled to the kudiwaram.

Explanation.—For the purposes of clause (9) and clause (10), inam land includes *lakhiraj* tenures of land and *shrotriem* land.

(11) " township " means a township constituted under the Mettur Township Act, 1940 (Madras Act XI of 1940), the Courtallam Township Act, 1954 (Madras Act XVI of 1954), the Bhavanisagar Township Act, 1964 (Madras Act XXX of 1954), or section 4 of the Madras Panchayats Act, 1958 (Madras Act XXXV of 1958), or any other township constituted under any other law for the time being in force;

(12) " Tribunal " means a Tribunal constituted under section 4;

(13) " urban land " means any land which is used or is capable of being used as a building site and includes garden or grounds, if any, appurtenant to a building but does not include any land which is registered as wet in the revenue accounts of the Government and used for the cultivation of wet crops.

Explanation.—For the purposes of this clause, any site on which any building has been constructed shall be deemed to be urban land;

(14) " Urban Land Tax Officer " means the Urban Land Tax Officer appointed under section 3.

CHAPTER II.

URBAN LAND TAX AUTHORITIES.

Urban land tax authorities.

3. (1) There shall be the following classes of urban land tax authorities for the purposes of this Act, namely:—

(*a*) the Board of Revenue;

(*b*) Commissioner of Urban Land Tax;

(*c*) Assistant Commissioners of Urban Land Tax;

(*d*) Urban Land Tax Officers.

(2) (*a*) The authorities specified in clauses (*b*) and (*c*) of sub-section (1) shall be appointed by the Government, and the authorities specified in clause (*d*) of sub-section (1) shall be appointed by the Commissioner.

(*b*) The appointment under clause (*a*) shall be by notification with jurisdiction over such area as may be specified in such notification.

(*c*) The authorities specified in sub-section (1) shall exercise, discharge and perform such powers, duties and functions as are assigned to them by or under this Act.

(3) The Government may, by notification, empower any officers [other than the authorities specified in sub-section (1)] including officers of any local authority to exercise such powers, discharge such duties and perform such functions under this Act in respect of such classes of persons or classes of urban land and in such areas, as may be specified in the notification.

(4) The authorities specified in sub-section (1) and the officers specified in sub-section (3) shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

(5) All officers and persons employed in the execution of this Act shal observe and follow the orders, instructions and directions of the Board of Revenue.

Constitution of Tribunals.

4. (1) The Government shall constitute as many Tribunals as may be necessary for the purposes of this Act.

(2) Each Tribunal shall consist of one person only who shall be a Judicial Officer not below the rank of Sub-ordinate Judge.

(3) Each Tribunal shall have such jurisdiction as the Government may, by notification, from time to time determine.

CHAPTER III.

DETERMINATION OF MARKET VALUE AND ASSESSMENT OF URBAN LAND TAX.

Levy of urban land tax.

5. Subject to the other provisions contained in this Act, there shall be levied and collected for every fasli year commencing from the date of the commencement of this Act, a tax on each urban land (hereinafter referred to as the urban land tax) from the owner of such urban land at the rate of 0·4 per centum of the market value of such urban land.

Market value of urban land.

6. For the purposes of this Act, the market value of any urban land shall be estimated to be the price which in the opinion of the Assistant Commissioner, or the Tribunal, as the case may be, such urban land would have fetched or fetch, if sold in the open market on the date of the commencement of this Act.

Owner of urban land liable to submit return.

7. Every owner of urban land liable to pay urban land tax under this Act shall, within a period of one month from the date of the publication of the Madras Urban Land Tax Ordinance, 1966 (Madras Ordinance III of 1966), in the *Fort St. George Gazette*, furnish to the Assistant Commissioner having jurisdiction a return in respect of each urban land containing the following particulars, namely :—

(*a*) name of the owner of the urban land,

(*b*) the extent of the urban land,

(*c*) the name of the division or ward and of the street, survey number and subdivision number of the urban land and other particulars of such urban land, and

(*d*) the amount which in the opinion of the owner is the market value of the urban land.

Return by whom to be signed.

8. The return made under section 7 shall be signed and verified—

(*a*) in the case of an individual by the individual himself; where the individual is absent from India by the individual concerned or by some person duly authorized by him in this behalf; and where the individual is mentally incapacitated from attending to his affairs by his guardian or by any other person competent to act on his behalf;

(*b*) in the case of a Hindu undivided family by the Manager and where the Manager is absent from India or is mentally incapacitated from attending to his affairs by any other adult member of such family ;

(*c*) in the case of a company by the principal officer thereof;

(*d*) in the case of a firm by any partner thereof not being a minor;

(*e*) in the case of any other association by any member of the association or the principal officer thereof; and

(*f*) in the case of any other person by that person or by some person competent to act on his behalf.

Collection of information.

9. If any owner of urban land fails to furnish the return under section 7 the Assistant Commissioner may obtain the necessary information in respect of the particulars specified in section 7 either by himself or through such agency as he thinks fit.

Determination of market value by Assistant Commissioner.

10. (1) Where a return is furnished under section 7 the Assistant Commissioner shall examine the return and make such enquiry as he deems fit. If the Assistant Commissioner is satisfied that the particulars mentioned therein are correct and complete he shall, by order in writing

determine the market value of the urban land and the amount of urban land tax payable in respect of such urban land.

(2) (*a*) Where on examination of the return and after the enquiry the Assistant Commissioner is not satisfied that the particulars mentioned therein are correct and complete he shall serve a notice on the owner either to attend in person or at his office on a date to be specified in the notice or to produce or cause to be produced on that date any evidence on which the owner may rely in support of his return.

(*b*) The Assistant Commissioner after hearing such evidence as the owner may produce in pursuance of the notice under clause (*a*) and such other evidence as the Assistant Commissioner may require on any specified points shall, by order in writing, determine the market value of the urban land and the amount of urban land tax payable in respect of such urban land.

(*c*) Where the owner has failed to attend or produce evidence in pursuance of the notice under clause (*a*) the Assistant Commissioner shall, on the basis of the enquiry made under clause (*a*), by order in writing, determine the market value of the urban land and the amount of urban land tax payable in respect of such urban land.

Procedure in case where no return is filed.

11. (1) Where the owner of urban land has failed to furnish the return under section 7 and the Assistant Commissioner has obtained the necessary information under section 9 he shall serve a notice on the owner in respect of each urban land specifying therein—

(*a*) the extent of the urban land,

(*b*) the amount which, in the opinion of the Assistant Commissioner, is the correct market value of the urban land, and

direct him either to attend in person at his office on a date to be specified in the notice or to produce or cause to be produced on that date any evidence on which the owner may rely.

(2) After hearing such evidence, as the owner may produce and such other evidence as the Assistant Commissioner may require on any specified points, the Assistant Commissioner shall, by order in writing, determine the market value of the urban land and the amount of urban land tax payable in respect of such urban land.

(3) Where the owner has failed to attend or to produce evidence in pursuance of the notice under sub-section (1), the Assistant Commissioner shall, on the basis of the information obtained by him under section 9, by order in writing, determine the market value of the urban land and the amount of the urban land tax payable in respect of such urban land.

Copy of order to be sent to the assessee, Commissioner and Urban Land Tax Officer.

12. A copy of the order passed under section 10 or 11 shall be served on the owner in such manner as may be prescribed and a copy of the said order shall also be sent to the Commissioner and the Urban Land Tax Officer concerned.

Duration of urban land tax determined under section 10 or 11.

13. (1) The amount of urban land tax determined under section 10 or 11, with the modification, if any, made in any appeal under section 20, shall remain in force—

(*a*) for a period of ten years from the 1st day of July of the fasli year in which the urban land tax is so determined, or

(*b*) for a further period not exceeding ten years as the Government may direct.

(2) After the expiration of the period of ten years referred to in clause (*a*) of sub-section (1) the Government may, and after the expiration of the further period referred to in clause (*b*) of sub-section (1), the Government shall direct revision of the urban land tax.

(3) All the provisions of this Act shall, as far as may be, apply to the determination of the urban land tax in pursuance of a direction under sub-section (2) as they apply to the determination of urban land tax for the first time after the date of the commencement of this Act.

(4) For the purposes of revision of the urban land tax under sub-sections (2) and (3)—

(*a*) the reference in section 6 to " the date of the commencement of this Act " shall be construed as a reference to the 1st day of July of the fasli year in which the direction under the said sub-section (2) is issued; and

(*b*) the period of one month referred to in section 7 shall be computed from the date on which such direction is issued.

Notice of demand.

14. (1) After the determination of the market value and of the amount of the urban land tax under section 10 or 11, the Urban Land Tax Officer shall cause a notice of demand to be served on the assessee. Such notice shall specify the amount of the urban land tax payable by the assessee and shall contain such other particulars as may be prescribed.

(2) The notice referred to in sub-section (1) shall call upon the assessee to pay within a period of fifteen days from the date of service of the notice the urban land tax specified in the notice.

(3) Where the urban land tax payable by the assessee is not paid before the expiry of the period specified in the notice, the urban land tax shall be recovered from the assessee as arrears of land revenue.

Separate notice of demand for each fasli year.

15. In respect of the urban land tax payable for every fasli year or part thereof, there shall be a separate notice of demand containing the particulars mentioned in section 14, and it shall be served on the assessee.

Urban land tax escaping assessment.

16. If the Assistant Commissioner has reason to believe that for any reason any urban land has escaped assessment or has been wrongly or incorrectly assessed for any fasli year, he may, within such period and after following such procedure as may be prescribed, proceed to assess or reassess such urban land and the provisions of this Act shall, as far as may be, apply to such assessment or re-assessment.

Urban land tax to be first charge on urban land.

17. The urban land tax shall, notwithstanding anything contained in any other law for the time being in force, or any custom, usage or contract or decree or order of a Court or other authority, be a first charge upon the urban land and upon the immovable property, on such urban land and belonging to the person liable to pay such tax.

Recovery from occupier of urban land in certain cases.

18. (1) Where the owner of any urban land is himself not the occupier thereof and is in default of payment of the urban land tax, such tax may be recovered from the occupier of such urban land in the manner prescribed.

(2) (*a*) Any occupier who has paid the urban land tax under sub-section (1) shall be entitled to deduct the amount so paid from the amount of rent or any other sum due from time to time to the owner or intermediary, if any.

(*b*) The intermediary shall be entitled to deduct such amount from the amount of rent or other sum due from time to time to the owner.

Explanation.—In this section " intermediary " means any person who, not being an owner has an interest in the urban land, and is entitled, by reason of such interest, to possession thereof, but has transferred such possession to others.

Obligation of transferor and transferee to give notice of transfer.

19. (1) Whenever the title of any person primarily liable to the payment of urban land tax on any urban land is transferred, the person whose title is transferred and the person to whom the same is transferred shall, within three months after the execution of the instrument of transfer or after its registration, if it be registered, or after the transfer is effected, if no instrument be executed, give notice of such transfer to the Urban Land Tax Officer.

(2) In the event of the death of any person primarily liable as aforesaid, the person to whom the title of the deceased shall be transferred as heir or otherwise, shall give notice of such transfer to the Urban Land Tax Officer within one year from the death of the deceased.

(3) The notice to be given under this section shall be in such form as may be prescribed and the transferee or the person to whom the title passes, as the case may be, shall, if so required, be bound to produce before the Urban Land Tax Officer, any document evidencing such transfer or succession.

(4) Every person who makes a transfer as aforesaid, without giving such notice to the Urban Land Tax Officer shall (in addition to any other liability which he may incur through such neglect), continue liable or the payment of the urban land tax assessed on the urban land transferred, until he gives notice or until the transfer shall have been recorded in the revenue registers, but nothing in this section shall be held to affect the liability of the transferee for the payment of the said tax.

CHAPTER IV.

APPEAL.

Appeal to the Tribunal against orders of Assistant Commissioner.

20. (1) (*a*) Any assessee objecting to any order passed by the Assistant Commissioner under section 10 or 11 may appeal to the Tribunal within thirty days from the date of the receipt of the copy of the order.

(*b*) Any person denying his liability to be assessed under this Act may appeal to the Tribunal within thirty days from the date of the receipt of the notice of demand relating to the assessment:

Provided that no appeal shall lie under clause (*a*) or clause (*b*) of this sub-section unless the urban land tax has been paid before the appeal is filed.

(2) The Commissioner may, if he objects to any order passed by the Assistant Commissioner under section 10 or 11, direct the Urban Land Tax Officer concerned to appeal to the Tribunal against such order, and such appeal may be filed within sixty days from the date of the receipt of the copy of the order by the Commissioner.

(3) The Tribunal may admit an appeal after the expiry of the period referred to in clause (*a*) or clause (*b*) of sub-section (1) or in sub-section (2), as the case may be, if it is satisfied that there was sufficient cause for not presenting it within that period.

(4) An appeal to the Tribunal under this section shall be in the prescribed form and shall be verified in the prescribed manner and shall be accompanied by such fee as may be prescribed.

(5) The Tribunal may after giving both parties to the appeal an opportunity of being heard, pass such orders thereon, as it thinks fit and shall communicate any such orders to the assessee and to the Commissioner in such manner as may be prescribed.

(6) Any order passed by the Tribunal under this section shall be final.

Refund.

21. (1) Where as a result of any order passed in appeal or other proceeding under this Act,—

(*a*) refund of any amount becomes due to the assessee, such amount shall be refunded to him without interest; or

(*b*) any further amount of tax is due from the assessee, such amount shall be collected in accordance with the provisions of this Act.

(2) Where under any of the provisions of this Act a refund is due to any person, the Urban Land Tax Officer may in lieu of payment of the refund set off the amount to be refunded or any part of that amount against the sum, if any, remaining payable under this Act by the person to whom refund is due after giving an intimation in writing to such person of the action proposed to be taken under this section.

CHAPTER V.

SURVEY OF URBAN LAND.

Survey of urban land.

22. (1) Any officer specially empowered by an order in this behalf by the Board of Revenue shall carry out survey of all urban lands in the area specified in such order, or, if such lands have already been surveyed, carry out re-survey of such lands for carrying out the purposes of this Act.

(2) The survey or re-survey carried out under sub-section (1) shall, subject to such rules as may be made by the Government in this behalf, be in accordance with the principles contained in the Madras Survey and Boundaries Act, 1923 (Madras Act VIII of 1923).

(3) The cost of the survey or re-survey under this section shall be borne by such persons and to such extent as may be prescribed.

CHAPTER VI.

SPECIAL PROVISIONS.

Urban land tax to be in lieu of, and in addition to, certain taxes.

23. The urban land tax payable under this Act in respect of any urban land shall be in lieu of—

(i) the ryotwari assessment ;

(ii) the assessment levied under the Madras Inams (Assessment) Act, 1956 (Madras Act XL of 1956) or under the Andhra Inams (Assessment) Act, 1955 (Andhra Act XVII of 1955) ;

(iii) the ground rent ;

(iv) the quit-rent ;

(v) any amount due under the Madras City Land Revenue Act, 1851 (Central Act XII of 1851) ;

(vi) such other amount as the Government may, by special order, specify, payable in respect of such land ; but shall be in addition to any tax on such land payable under any other law for the time being in force.

Urban land tax not to be taken into account for compensation in certain cases.

24. Notwithstanding anything contained in this Act or in any other law for the time being in force, the urban land tax payable under this Act shall not be taken into account for the purposes of payment of compensation under—

(*a*) the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948) ;

(*b*) the Madras Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963 (Madras Act XXVI of 1963) ;

(*c*) the Madras Leaseholds (Abolition and Conversion into Ryotwari) Act, 1963 (Madras Act XXVII of 1963) ; or

(*d*) the Madras Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Madras Act XXX of 1963).

Addition of urban land tax to rent in certain cases.

25. Notwithstanding anything contained in the Madras City Tenants' Protection Act, 1921 (Madras Act III of 1922) or in the Madras Buildings (Lease and Rent Control) Act, 1960 (Madras Act XVIII of 1960), where in any case the amount of the urban land tax payable in respect of any land under this Act is in excess of one half of the amount of the

annual rent payable in respect of such land or the building thereon under any of the said Acts, the Court, authority or officer empowered to fix the rent under any of the said Acts, may, on application from the owner, add to the annual rent aforesaid an amount not exceeding the difference between the urban land tax payable under this Act and one half of the annual rent aforesaid.

Concession in respect of owner-occupied buildings.

26. (1) Where any building is occupied wholly by the owner for residential purposes only and where such owner makes an application to the Urban Land Tax Officer, that officer shall, subject to such rules as may be made in this behalf and after satisfying himself about the facts stated in the application, reduce by twenty-five per centum the amount of urban land tax payable on the urban land on which the building has been constructed and on the urban land appurtenant to such buildings.

(2) The application under sub-section (1) shall be made in such form and within such period as may be prescribed.

Power of Government to exempt or reduce urban land tax.

27. (1) The Government, if satisfied that the payment of urban land tax in respect of any class of urban lands or by any class of persons will cause undue hardship, they may, subject to such rules as may be made in this behalf, by order,—

(*a*) exempt such lands or persons from the payment of the urban land tax; or

(*b*) reduce the amount of such urban land tax,

whether prospectively or retrospectively.

(2) The Government may at any time cancel or modify any order issued under sub-section (1) and upon such cancellation or modification, the entire amount of urban land tax, or the amount of urban land tax due under the modified order, as the case may be, shall be payable in respect of the land concerned with effect from the fasli year in which such cancellation or modification is made :

Provided that no such cancellation or modification shall be made unless the party likely to be affected by such cancellation or modification has had a reasonable opportunity of making his representations.

Conversion of agricultural land into urban land.

28. Where any land which is registered as wet in the revenue accounts of the Government and used for cultivation of wet crops is converted as a building-site after the date of the commencement of this Act, the owner of such land shall be liable to pay urban land tax with effect from the fasli year in which such conversion is effected.

CHAPTER VII.

EXEMPTIONS.

Exemptions.

29. Nothing in this Act shall apply to—

(*a*) any urban land owned by the State or the Central Government ;

(*b*) any urban land owned by—

(i) the Corporation of Madras ;

(ii) a municipal council constituted under the Madras District Municipalities Act, 1920 (Madras Act V of 1920) ;

(iii) a township committee constituted under the Mettur Township Act, 1940 (Madras Act XI of 1940), the Courtallam Township Act, 1954 (Madras Act XVI of 1954), the Bhavanisagar Township Act, 1954 (Madras Act XXV of 1954), or section 4 of the Madras Panchayats Act, 1958 (Madras Act XXXV of 1958), or under any other law for the time being in force ;

(iv) a panchayat or panchayat union council constituted under any law for the time being in force ;

(*c*) any urban land set apart for public worship and is actually so used ;

(*d*) any urban land on which hospitals primarily maintained by the Government, any local authority or such other authority specified by the Government in this behalf, have been constructed and any urban land appurtenant to such hospitals ;

(*e*) any urban land solely used for purposes connected with the disposal of the dead ;

(*f*) roads or urban lands used for communal purposes ;

(*g*) any urban land used for public purposes, provided that no rent is charged for, or no remuneration is derived from, such user ;

(*h*) any urban land on which any building used for purposes of schools, colleges or universities has been constructed and any urban land appurtenant to such building and any urban land used for public parks, public libraries, public museums, or used as play grounds attached to schools, colleges or universities ;

(*i*) such urban land owned by any school, college or university, as the Government may, by notification, specify ;

(*j*) any urban land used—

(i) for charitable purposes of sheltering destitute persons or animals ;

(ii) for orphanages, homes and schools for the deaf and dumb and for the infirm and diseased ;

(iii) for asylum for the aged and for fallen women ;

(*k*) any urban land used by such philanthropic institutions as the Government may, by notification, specify ;

(*l*) any urban land used for the preservation of ancient monuments.

CHAPTER VIII.

MISCELLANEOUS.

Revision by Board of Revenue.

30. (1) The Board of Revenue may, either on its own motion or on application made by the assessee in this behalf, call for and examine the records of any proceeding under this Act (not being a proceeding in respect of which an appeal lies to the Tribunal under section 20) to satisfy itself as to the regularity of such proceeding or the correctness, legality or propriety of any decision or order passed therein and if, in any case, it appears to the Board of Revenue that any such decision or order should be modified, annulled, reversed or remitted for reconsideration, it may pass orders accordingly :

Provided that the Board of Revenue shall not pass any order under this sub-section in any case, where the decision or order is sought to be revised by the Board of Revenue on its own motion, if such decision or order had been made more than three years previously :

Provided further that the Board of Revenue shall not pass any order under this section prejudical to any party unless he has had a reasonable opportunity of making his representations.

(2) The Board of Revenue may stay the execution of any such decision or order pending the exercise of its powers under sub-section (1) in respect thereof.

(3) Every application to the Board of Revenue for the exercise of its powers under this section shall be preferred within three months from the date on which the order or proceeding to which the application relates was received by the applicant:

Provided that the Board of Revenue may, in its discretion, allow further time not exceeding one month for the filing of any such application if it is satisfied that the applicant had sufficient cause for not preferring the application within the time specified in this sub-section.

Computation of period of limitation.

31. In computing the period of limitation prescribed for an appeal or revision against any decision or order under this Act the time required for obtaining the certified copy of the decision or order shall be excluded.

Power to rectify any error apparent on the face of the record.

32. (1) The Urban Land Tax Officer, or the Assistant Commissioner, or the Board of Revenue, or the Tribunal may at any time within three years from the date of any order passed by him or it, rectify any error apparent on the face of the record :

Provided that no such rectification which has the effect of enhancing an assessment, shall be made unless such authority has given notice to the assessee and has allowed him a reasonable opportunity of being heard.

(2) Where such rectification has the effect of reducing an assessment, the amount due to the assessee shall be refunded to him.

(3) Where any such rectification has the effect of enhancing an assessment already made, the Urban Land Tax Officer shall give the assessee a revised notice of demand and thereupon the provisions of this Act and the rules made thereunder shall apply as if such notice had been given in the first instance.

Power to take evidence on oath, etc.

33. (1) The Tribunal, the Board of Revenue, the Commissioner, the Assistant Commissioner, or the Urban Land Tax Officer or any other officer empowered under this Act shall, for the purposes of this Act, have the same powers as are vested in a Court under the Code of Civil Procedure, 1908 (Central Act V of 1908), when trying a suit in respect of the following matters, namely :—

(*a*) enforcing the attendance of any person and examining him on oath ;

(*b*) requiring the discovery and production of documents ;

(*c*) receiving evidence on affidavit ;

(*d*) issuing commissions for the examination of witnesses ;

and any proceeding before the Tribunal, the Board of Revenue, the Commissioner, the Assistant Commissioner, the Urban Land Tax Officer or any other officer empowered under this Act shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228, and for the purposes of section 196, of the Indian Penal Code (Central Act XLV of 1860).

(2) In any case in which an order of assessment is passed *ex parte* under this Act, the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), shall apply in relation to such order as it applies in relation to a decree passed *ex parte* by a Court.

Power to call for information.

34. Where for the purposes of determining the urban land tax payable by any person, it appears necessary for any authority or officer referred to in section 3 to obtain any statement of information from any person it or he may serve a notice requiring such person on or before a date to be therein specified to furnish a statement or information on the points specified in the notice and that person shall, notwithstanding anything in any law to the contrary, be bound to furnish such statement or information to such authority or officer :

Provided that no legal practitioner shall be bound to furnish any statement or information under this section based on any professional communication made to him otherwise than as permitted by section 126 of the Indian Evidence Act, 1872 (Central Act I of 1872).

Service of notice.

35. (1) A notice under this Act may be served on the person therein named, either by post, or, as if it were summons issued by a Court under the Code of Civil Procedure, 1908 (Central Act V of 1908).

(2) Any such notice may, in the case of a firm or a Hindu undivided family, be addressed to any member of the firm, or to the manager or any adult member of the family, and in the case of a company or association of persons, be addressed to the principal officer thereof.

Power of Government to issue orders and directions.

36. The Government may issue such orders and directions of a general character, as they may consider necessary in respect of any matter relating to the powers and duties of the Board of Revenue, the Commissioner, the Assistant Commissioner, the Urban Land Tax Officer or any other officer empowered under this Act. The authority or officer referred to above shall give effect to all such orders and directions.

Delegation of powers.

37. The Government may, by notification, direct that any power or function exercisable by the Government, the Board of Revenue, the Commissioner, Assistant Commissioner or Urban Land Tax Officer under this Act or the rules made thereunder shall in relation to such matters and subject to such conditions as may be specified in such notification, be exercisable also by such officer or authority subordinate to the Government as may by specified in such notification.

Bar of suits in civil courts.

38. (1) No suit shall lie in any civil court to set aside or modify any assessment made under this Act.

(2) Except as otherwise provided in this Act, the decision of any authority or officer under this Act shall be final and no civil court shall have jurisdiction to decide or deal with any question which by or under this Act is required to be decided or dealt with by the authorities or officers under this Act.

Indemnity.

39. No suit, prosecution or other legal proceeding shall lie against the Government, Tribunal, the Board of Revenue, the Commissioner, the Assistant Commissioner, the Urban Land Tax Officer or any other officers empowered under this Act for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

Power to enter upon land.

40. The Commissioner, the Assistant Commissioner, the Urban Land Tax Officer, or any other officer empowered under this Act or any person acting under the orders of any such officer, may enter upon any urban land with such other officers and person as he considers necessary and make a survey and take measurements thereof or do any other act which he considers necessary for carrying out the purposes of this Act.

Certain records to be made use of for purposes of this Act.

41. For the purposes of carrying into effect the provisions of this Act, the authorities or officers specified in this Act shall, to the extent necessary, make use of the records prepared before the date of the commencement of this Act by the Special Officer for Urban Taxation, the Collector of Madras and any officer subordinate to them.

Preparation of book of assessment.

42. The Government may, for the purposes of this Act, cause to be prepared a book of assessment containing—

(*a*) particulars of urban land ;

(*b*) the name of the assessee ;

(*c*) the market value of the urban land ;

(*d*) the amount of urban land tax payable in respect of the urban land ; and

(*e*) such other particulars as may be prescribed.

Power to make rules.

43. (1) The Government may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(*a*) all matters expressly required or allowed by this Act to be prescribed;

(*b*) the procedure to be followed by the Tribunal under this Act ;

(*c*) the form of appeal and application for revision under this Act;

(*d*) the procedure to be followed by the Board of Revenue when exercising the powers of revision under this Act;

(*e*) the fees payable in respect of applications and appeals under this Act;

(*f*) the manner of rounding of the total amount of tax due from an assessee.

Power to remove difficulties.

44. If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, by order do anything which appears to them necessary for the purpose of removing the difficulty.

Rules and orders to be placed before the Legislature.

45. (1) All rules made under this Act and all orders made under section 44 shall be published in the *Fort St. George Gazette*, and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(2) Every rule made under this Act and every order made under section 44 shall, as soon as possible after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or order or both Houses agree that the rule or order should not be made, the rule or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or order.

Repeal of Madras Act XXXIV of 1963.

46. The Madras Urban Land Tax Act, 1963 (Madras Act XXXIV of 1963) is hereby repealed.

Amount paid under Madras Act XXXIV of 1963 deemed to be amount of urban land tax provisionally paid.

47. The amount of urban land tax already collected under the Madras Urban Land Tax Act, 1963 (Madras Act XXXIV of 1963), shall be deemed to be the urban land tax provisionally paid by the assessee concerned in respect of the fasli year for which it was paid and shall remain as security with the Government pending assessment of the urban land tax due from such assessee in accordance with the provisions of this Act. Upon such assessment, the said amount shall be adjusted towards the urban land tax due from him on such urban land and if the tax on such assessment—

(i) is in excess of the amount of urban land tax already collected from such person, such excess shall be recovered from him; or

(ii) is less than the amount of urban land tax already collected from such person, the difference shall be refunded to him.

Repeal of Madras Ordinance III of 1966.

48. (1) The Madras Urban Land Tax Ordinance 1966 (Madras Ordinance III of 1966), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance including any notifications issued, rules and appointments made and returns furnished shall be deemed to have been done or taken under this Act.

THE MADRAS ADDITIONAL ASSESSMENT AND ADDITIONAL WATER-CESS (AMENDMENT) ACT, 1966.

[*Received the assent of the Governor on the 7th September*, 1966.
Published in the Fort St. George Gazette, Part IV, Section 4, *page*, 117,
dated the 14*th September*, 1966.]

ACT NO. XIII OF 1966.

An Act to amend the Madras Additional Assessment and Additional Water-Cess Act, 1966.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS ADDITIONAL ASSESSMENT AND ADDITIONAL WATER-CESS (AMENDMENT) ACT, 1966.

(2) It shall be deemed to have come into force on the 27th April, 1966.

Amendment of Schedule I to Madras Act VIII of 1963.

2. In Schedule I to the Madras Additional Assessment and Additional Water-Cess Act, 1963 Madras Act (VIII of 1963), after item 9, the following item shall be added, namely :—

" 10. Vidur Reservoir Project."

THE MADRAS (TRANSFERRED TERRITORY) LUXURY TAX ON TOBACCO (VALIDATION) ACT, 1966.

[*Received the assent of the President on the* 5*th October*, 1966.
Published in the Fort St. George Gazette, Part IV, Section 4, *page* 144,
dated the 12*th October*, 1966.]

ACT NO. XIV OF 1966.

An Act to provide for the levy of a luxury tax on tobacco in the Kanyakumari district and the Shencottah taluk of the Tirunelveli district for the period commencing on the 17*th August*, 1950 *and ending on the* 31*st December*, 1957, *and the validation of the levy and collection of fees for licences for the vend and stocking of tobacco for the aforesaid period.*

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title and extent.

1. (1) This Act may be called THE MADRAS (TRANSFERRED TERRITORY) LUXURY TAX ON TOBACCO (VALIDATION) ACT, 1966.

(2) It extends to the whole of the transferred territory.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) " tobacco " includes leaf of the tobacco plant, snuff, cigars, cigarettes, beedies, beedi tobacco, tobacco powder and other preparations or admixtures of tobacco.

(*b*) " transferred territory " means the Kanyakumari district and the the Shencottah taluk of the Tirunelveli district.

Charge of luxury tax on tobacco.

3. For the period commencing on the 17th August, 1950 and ending on the 31st December, 1957, every person who vended or stocked tobacco within any area to which this Act extends shall be liable, and shall be deemed always to have been liable, to pay a luxury tax on such tobacco in the form of a fee for licence for the vend and stocking of the tobacco, at such rates as may be prescribed, not exceeding the rates specified in the Schedule.

Power to make rules.

4. (1) The State Government may make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(*a*) the prohibition of the vending of tobacco except under a licence;

(*b*) the issue of licences for the vend and stocking of tobacco and the procedure therefor;

(*c*) the classification of licences and the rate at which tax in the form of fee for licence may be levied for each class of licences ;

(*d*) appeals from orders under the rules.

(3) All rules made under this Act shall be published in the *Fort St. George Gazette* and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(4) Every rule made under this Act shall, as soon as possible after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(5) The rules and notifications specified below purported to have been issued under the Tobacco Act of 1087 (Travancore Act I of 1087), in so far as they relate or purport to relate to the levy and collection of fees for licences for the vend and stocking of tobacco, shall be deemed to be rules issued under this section and shall be deemed to have been in force at all material times:—

(i) the Travancore Tobacco Rules dated the 5th July, 1913, as amended by Notification No. E-2-5937/49/RD, dated the 3rd August, 1950, published at pages 1 to 3 of the *Travancore-Cochin Government Gazette* (Extraordinary), dated the 3rd August, 1950 ;

(ii) the rules issued under Notification No. E-2-5937/49/RD, dated the 25th January, 1951, and published at pages 1 to 10 of the *Travancore-Cochin Government Gazette* (Extraordinary), dated the 25th January, 1951, as amended from time to time;

(iii) the Notification No. E-2-5937/49 /RD, dated the 23d May, 1951, published at pages 1210 to 1211 of Part I of the *Travancore-Cochin Government Gazette,* dated the 29th May, 1951.

Validation.

5. Notwithstanding anything contained in any judgment, decree or order of any court, all fees for licences for the vend or stocking of tobacco levied or collected or purported to have been levied or collected under any of the rules or notifications specified in sub-section (5) of section 4 for the period commencing on the 17th August, 1950 and ending on the 31st December, 1957, shall be deemed to have been validly levied or collected in accordance with law as if this Act were in force on and from the 17th August, 1950 and the fees for licences were a luxury tax on tobacco levied under the provisions of this Act, and accordingly,—

(*a*) all acts, proceedings or things done or taken by the State Government or by any officer of the State Government or by any other authority in connection with the levy or collection of such fees shall, for all purposes, be deemed to be and to have always been done or taken in accordance with law ;

(*b*) no suit or other proceeding shall be maintained or continued in any court for the refund of any fees paid or purported to have been paid under any of the said rules or notifications ; and

(*c*) no court shall enforce a decree or order directing the refund of any fees paid or purported to have been paid under any of the said rules or notifications,

THE SCHEDULE.

(*See* section 3.)

Item No. (1)	*Description.* (2)	*Rate of tax.* (3)
1.	Jaffna Tobacco ..	Rs. 1,500 for the first 100 candies or fraction thereof and Rs. 1,000 for every additional 100 candies or fraction thereof per annum or part thereof.
2.	Tobacco produced in India (unmanufactured).	Rs. 1,000 for the first 100 candies or fraction thereof and Rs. 750 for every additional 100 candies or fraction thereof per annum or part thereof.
3.	Beedi or/and beedi tobacco ..	Rs. 1,000 for the first 25 candies or fraction thereof and Rs. 750 for every additional 25 candies or fraction thereof per annum or part thereof.
4.	Tobacco preparations of all kinds ..	Rs. 1,000 provided the value of the preparations does not exceed Rs. 20,000 and for every additional quantity of the value of Rs. 20,000 or part thereof, Rs. 750 per annum or part thereof.

THE MADRAS APPROPRIATION (NO. 4) ACT, 1966.

[*Received the assent of the Governor on the* 18*th November*, 1966.
Published in the Fort St. George Gazette, (*Part IV, Section* 4, *page* 147,
dated 23*rd November*, 1966.]

ACT NO. XV OF 1966.

An Act to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the service of the financial year which commenced on the 1*st April*, 1966.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title.

1. This Act may be called THE MADRAS APPROPRIATION (NO. 4) ACT, 1966.

Supplementary appropriation out of the Consolidated Fund for the financial year which commenced on the 1st April, 1966.

2. The State Government may appropriate out of the Consolidated Fund of the State, for the financial year which commenced on the 1st April, 1966, a further sum not exceeding two crores, ninety-one lakhs, sixty-seven thousand and three hundred rupees being moneys required to meet—

(*a*) the supplementary grants made by the Madras Legislative Assembly for that period, as set forth in column (3) of the schedule ; and

(*b*) the supplementary expenditure charged on the Consolidated Fund the State for that period, as set forth in column (4) of the schedule.

THE SCHEDULE.

Demand number.	Services and purposes.	Sums not exceeding: Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.	Total.
(1)	(2)	(3)	(4)	(5)
		Rs.	Rs.	Rs.
I	Land Revenue ..	100	..	100
III	General Sales tax and Other Taxes and Duties—Administration ..	..	30,100	30,100
XII	Police ..	1,15,200	..	1,15,200
XIII	Education ..	200	..	200
XIV	Medical ..	14,66,400	..	14,66,400
XV	Public Health ..	4,00,100	..	4,00,100
XVI	Agriculture ..	3,92,800	..	3,92,800
XVII	Fisheries ..	3,50,000	..	3,50,000
XIX	Co-operation ..	6,83,100	..	6,83,100
XXIII	Community Development Projects etc. ..	100	..	100
XXIV	Labour including Factories ..	1,70,100	..	1,70,100
XXVI	Irrigation ..	100	..	100
XXVII	Public Works—Works ..	100	..	100
XXIX	Public Works—Grants-in-aid ..	25,100	..	25,100
XXXII	Pension ..	100	..	100
XXXIV	Stationery and Printing ..	200	..	200
XL	Capital Outlay on Consumers Co-operatives ..	16,00,000	..	16,00,000
XLI	Capital Outlay on Industrial Development ..	12,36,800	..	12,36,800
XLII	Capital Outlay on Irrigation ..	2,100	..	2,100
XLIII	Capital Outlay on Public Works ..	23,68,600	..	23,68,600
XLVII	Capital Outlay on Schemes of Government Trading ..	100	..	100
XLVIII	Loans and Advances by the State Government ..	2,03,25,900	..	2,03,25,900
	GRAND TOTAL ..	2,91,37,200	30,100	2,91,67,300

THE MADRAS APPROPRIATION (NO. 5) ACT, 1966.

[*Received the assent of the Governor on the* 18*th November*, 1966. *Published in the Fort St. George Gazette, Part IV, Section* 4, *page* 149, *dated the* 23*rd November*, 1966.]

ACT NO. XVI OF 1966.

An Act to provide for the authorization of appropriation of moneys out of the Consolidated Fund of the State to meet the amounts spent on certain services during the financial year ended on the 31*st day of March*, 1964, *in excess of the amounts authorized or granted for the said services.*

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows:—

Short title.

1. This Act may be called THE MADRAS APPROPRIATION (NO. 5) ACT, 1966.

Issue of Rs. 1,14,92,337 out of the Consolidated Fund of the State for the financial year ended on the 31st March, 1964.

2. The sums specified in column (5) of the schedule amounting in the aggregate to the sum of one crore, fourteen lakhs, ninety-two thousand, three hundred and thirty-seven rupees shall be deemed to have been authorized to be paid and applied from and out of the Consolidated Fund of the State to meet the amounts spent for defraying the charges in respect of the services and purposes specified in

column (2) of the schedule during the financial years ended on the 31st day of March, 1964, in excess of the amounts authorized or granted for those services and purposes for that year.

Appropriation.

3. The sums deemed to have been authorized to be paid and applied from and out of the Consolidated Fund of the State under this Act shall be appropriated and shall be deemed to have been appropriated for the services and purposes specified in the schedule in relation to the financial year ended on the 31st day of March, 1964.

THE SCHEDULE

(*See* sections 2 and 3.)

Demand number.	*Services and purposes.*	*Sums.*		
		Voted by the Legislative Assembly.	*Charged on the Consolidated Fund of the State.*	*Total.*
(1)	(2)	(3)	(4)	(5)
		Rs.	Rs.	Rs.
VI	State Legislature ..	37,534	3,481	41,016
VIII	Head of State, Ministers and Head-quarters Staff ..	20,672	..	20,672
X	Administration of Justice ..	8,995	..	8,995
XIV	Medical ..	17,99,245	..	17,99,245
XVI	Agriculture ..	31,94,695	..	31,94,695
XXIII	Community Development Projects, etc. ..	6,58,505	..	6,58,505
XXV	Welfare of the Scheduled Tribes, Castes and Other Backward Classes ..	3,65,230	..	3,65,230
XXVI	Irrigation ..	13,19,388	..	13,19,388
XXVII	Public Works—Works ..	4,86,931	1,793	4,88,724
XXVIII	Public Works—Establishment and Tools and Plant ..	6,69,666	..	6,69,666
XXX	Road Transport Schemes ..	1,83,287	..	1,83,287
XXXI	Famine Relief ..	91,745	..	91,745
XXXII	Pensions ..	5,28,236	3,44,078	8,72,314
XXXIII	Miscellaneous ..	..	2,16,429	2,16,429
XXXIV	Stationery and Printing ..	2,15,223	..	2,15,223
XXXVI	Other Miscellaneous Contributions and Assignments ..	..	20,633	20,633
XXXV	Forest Department ..	71,359	..	71,359
XLIII	Capital Outlay on Road Transport Schemes ..	10,36,929	..	10,36,929
XLIV	Capital Outlay of Forests ..	1,55,825	..	1,55,825
XLV	Commuted Value of Pensions ..	62,458	..	62,458
	GRAND TOTAL ..	1,09,05,923	5,86,414	1,14,92,337

THE MADRAS PANCHAYATS (AMENDMENT) ACT, 1966.

[*Received the assent of the Governor on the 22nd November*, 1966.
Published in the Fort St. George Gazette (Extraordinary), *Part IV, Section* 4, *page* 151, *dated 23rd November*, 1966.]

ACT No. XVII OF 1966.

An Act further to amend the Madras Panchayats Act, 1958.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title. 1. This Act may be called the MADRAS PANCHAYATS (AMENDMENT) ACT, 1966.

Amendment of section 53, Madras Act XXXV of 1958. 2. In section 53 of the Madras Panchayats Act, 1958 (Madras Act XXXV of 1958),—

(1) in sub-section (1)—

(*a*) after clause (*a*), the following clause shall be inserted, namely :—

" (*aa*) (i) There shall be an Agricultural Production Committee for every panchayat union, which shall be composed of the chairman of the panchayat union council who shall be the chairman of that Committee, the commissioner and three persons co-opted by the panchayat union council.

(ii) No person shall be co-opted under sub-clause (i), if—

(A) he is a member of the panchayat union council ; or

(B) in the opinion of the panchayat union council, he does not possess adequate knowledge of, and experience in, agricultural";

(*b*) in clause (*b*),—

(i) for the words " under this sub-section ", the words " under this clause " shall be substituted ; and

(ii) after the words " The members of each Committee ", the words " constituted under this clause " shall be inserted ;

(2) in sub-section (2), for the words, brackets and figure " any committee appointed under sub-section (1) " the words, brackets, letter and figure " any committee appointed under clause (*b*) of sub-section (1) " shall be substituted.

THE MADRAS GENERAL SALES TAX (SECOND AMENDMENT) ACT, 1966.

[*Received the assent of the Governor on the 22nd November*, 1966.
Published in the Fort St. George Gazette (Extraordinary), *Part IV, Section* 4, *page* 153, *dated 24th November*, 1966.]

ACT No. XVIII OF 1966.

An Act further to amend the Madras General Sales Tax Act, 1959.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title and commencement. 1. (1) This Act may be called THE MADRAS GENERAL SALES TAX (SECOND AMENDMENT) ACT, 1966.

(2) Section 2 shall be deemed to have come into force on the 1st day of April, 1959.

Amendment of section 16, Madras Act I of 1959. 2. In section 16 of the Madras General Sales Tax Act, 1959 (Madras Act I of 1959) (hereinafter referred to as the principal Act),—

(*a*) for sub-section (1), the following sub-section shall be substituted, namely :—

" (1) (*a*) Where for any reason, the whole or any part of the turnover of business of a dealer has escaped assessment to tax, the assessing authority may, subject to the provisions of sub-section (2), at any time within a period of five years from the expiry of the year to which the tax relates, determine to the best of its judgment the turnover which has escaped assessment and assess the tax payable on such

turnover after making such enquiry as it may consider necessary and after giving the dealer a reasonable opportunity to show cause against such assessment.

(*b*) Where, for any reason, the whole or any part of the turnover of business of a dealer has been assessed at a rate lower than the rate at which it is assessable, the assessing authority may, at any time within a period of five years from the expiry of the year to which the tax relates, re-assess the tax due after making such enquiry as it may consider necessary and after giving the dealer a reasonable opportunity to show cause against such re-assessment.";

(*b*) in sub-section (2), for the expression " under sub-section (1) " in the two places where it occurs, the expression " under clause (*a*) of sub-section (1) " shall be substituted ;

(*c*) in sub-section (4), for the words " assessment of the escaped turnover under this section " the words " assessment or re-assessment under this section " and for the words, " proceedings for assessment ", the words " proceedings for assessment or re-assessment " shall be substituted.

Validation of levy and collection of certain taxes.

3. Notwithstanding anything contained in any judgment, decree or order of any Court or other authority, no assessment, re-assessment, levy or collection of any tax or penalty made or purporting to have been made under the provisions of section 16 of the principal Act before the date of the publication of this Act in the *Fort St. George Gazette* shall be deemed to be invalid or ever to have been invalid on the ground only that such assessment, re-assessment, levy or collection was not in accordance with law and such tax or penalty assessed, re-assessed, levied or collected or purporting to have been assessed, re-assessed, levied or collected shall, for all purposes, be deemed to be and always to have been validly assessed, re-assessed, levied or collected, and accordingly—

(*a*) all acts, proceedings or things done or taken by the State Government or by any officer of the State Government or by any other authority in connection with the assessment, re-assessment, levy or collection of such tax or penalty shall, for all purposes, be deemed to be, and to have always been, done or taken in accordance with law ;

(*b*) no suit or other proceeding shall be maintained or continued in any Court against the State Government or any person or authority whatsoever for the refund of any tax or penalty so paid, and

(*c*) no Court shall enforce any decree or order directing the refund of any tax or penalty so paid.

THE MADRAS MOTOR VEHICLES (TAXATION OF PASSENGERS AND GOODS) AMENDMENT ACT, 1966.

[*Received the assent of the President on the* 19*th November*, 1966. *Published in the Fort St. George Gazette*, *Part IV*, *Section* 4, *Page* 157, *dated the* 30*th November*, 1966].

ACT No. XIX OF 1966.]

An Act further to amend the Madras Motor Vehicles (*Taxation of Passengers and Goods*) *Act*, 1952.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS MOTOR VEHICLES (TAXATION OF PASSENGERS AND GOODS) AMENDMENT ACT, 1966.

(2) Sections 3 and 4 shall be deemed to have come into force on the 1st April, 1962.

Amendment of section 3, Madras Act XVI of 1952.

2. In section 3 of the Madras Motor Vehicles (Taxation of Passengers and Goods) Act, 1952, (Madras Act XVI of 1952) (hereinafter referred to as the principal Act), the second proviso shall be omitted.

Amendment of section 4, Madras Act XVI of 1952.

3. In section 4 of the principal Act, after sub-section (2), the following sub-section shall be added, namely :—

"(3) A rule may be made under sub-section (2) so as to have retrospective effect from a date not earlier than the 1st April, 1962.".

Amendment of section 8, Madras Acts XVI of 1952.

4. In section 8 of the principal Act, for the words "within, but not beyond, one year from the expiry of that month," the words "within a period of five years from the expiry of that month" shall be substituted.

Validation of levy and collection of tax or fee under Madras Act XVI of 1952.

5. Notwithstanding anything contained in any judgment, decree or order of any Court, no levy or collection of any tax or fee by the Government under the provisions of the principal Act during the period between the 1st April, 1962 and the 24th August, 1963 (both days inclusive) shall be deemed to be invalid or ever to have been invalid on the ground only that such levy or collection was not in accordance with law and such tax or fee levied or collected or purporting to have been levied or collected shall, for all purposes, be deemed to be and to have always been validly levied or collected, and accordingly:

(*a*) all acts, proceedings or things done or taken by the Government or any authority, officer or person in connection with the levy or collection of such tax or fee shall, for all purposes, be deemed to be and to have always been done or taken in accordance with law;

(*b*) no suit or other proceeding shall be maintained or continued in any Court for the refund of any tax or fee so paid ;

(*c*) no Court shall enforce any decree or order directing the refund of any tax or fee so paid ;

(*d*) any tax or fee which becomes leviable under the principal Act as amended by this Act, during the period between the 1st April, 1962 and the 24th August, 1963 (both days inclusive), may be levied and collected in the manner provided under the principal Act, as amended by the Act.

Special provisions for recovery of tax which has escaped assessment.

6. Notwithstanding the expiration of the period of one year mentioned in section 8 of the principal Act an in force immediately before the publication of this Act in the *Fort St. George Gazette*, the prescribed officer may, at any time before the expiration of the period of five years mentioned in the said section 8, as amended by section 4 of this Act, assess the tax which has escaped assessment after issuing a notice to the operator and after making such inquiry as the prescribed officer may consider necessary.

THE MADRAS ENTERTAINMENTS TAX (AMENDMENT) ACT, 1966.

[*Received the assent of the Governor on the* 25*th November*, 1966.
Published in the Fort St. George Gazette, Part IV, Section 4, *Page* 159, *dated the* 30*th November*, 1966].

ACT No. XX OF 1966.

An Act further to amend the Madras Entertainments Tax Act, 1939.

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called THE MADRAS ENTERTAINMENTS TAX (AMENDMENT) ACT, 1966.

(2) Section 2 shall be deemed to have come into force on the 1st April 1960 and the rest of this Act shall come into force at once.

Insertion of new section 7-B in Madras Act X of 1939.

2. After section 7-A of the Madras Entertainments Tax Act, 1939 (Madras Act X of 1939) (hereinafter referred to as the principal Act), the following section shall be inserted namely :—

" 7-B. *Payment for admission, etc., escaping assessment.*—(1) Where, for any reason,—

(i) any payment for admission to any entertainment has escaped assessment to tax under section 4; or

(ii) any cinematograph exhibition has escaped assessment to tax under section 4-A,

the authority prescribed under sub-section (1) of section 7-A may, subject to the provisions of sub-section (3) and at any time within such period as may be prescribed, assess to the best of its judgment the tax due on such payment or exhibition under section 4 or 4-A, as the case may be, after making such enquiry as it may consider necessary and after giving the proprietor a reasonable opportunity to show cause against such assessment.

(2) Where, for any reason, any payment for admission to any entertainment or any cinematograph exhibition has been assessed at a rate lower than the rate at which it is assessable under section 4 or 4-A, the authority prescribed under sub-section (1) of section 7-A may, subject to the provisions of sub-section (3) and at any time within such period as may be prescribed, re-assess the tax due on the such payment or exhibition under section 4 or 4-A, as the case may be, after making such enquiry as it may consider necessary and after giving the proprietor a reasonable opportunity to show cause against such re-assessment.

(3) In making an assessment or re-assessment under sub-section (1) of sub-section (2), as the case may be, the authority prescribed under sub-section (1) of section 7-A may, if it is satisfied that due to wilful mis-statement or suppression of facts by the proprietor, the tax has not been levied or has been levied at a rate lower than the rate at which it is leviable, direct the proprietor to pay, in addition to the tax assessed or re-assessed under sub-section (1) or such-section (2), as the case may be, a penalty not exceeding one and a half times the tax so assessed or reassessed :

Provided that no penalty under this sub-section shall be imposed unless the proprietor affected has had a reasonable opportunity of showing cause against such imposition.

(4) The powers under sub-section (1) or sub-section (2) may be exercised by the authority prescribed under sub-section (1) of section 7-A even though the original order of assessment, if any, passed in the matter has been the subject-matter of an appeal or revision.

(5) In computing the period of limitation for assessment or re-assessment under this section, the time during which the proceedings for assessment or re-assessment remained stayed under the orders of a civil Court or other competent authority shall be excluded."

Amendment of section 10-A, Madras Act X of 1939.

3. In section 10-A of the principal Act, for the words " any tax due under this Act " wherever they occur, the words " any amount due under this Act " shall be substituted.

Insertion of new section 10-B, in Madras Act X of 1939.

4. After section 10-A of the principal Act, the following section shall be inserted, namely :—

" 10-B. *Recovery of penalty.*—Any penalty payable under this Act shall be deemed to be tax under this Act, for the purposes of collection and recovery and shall be without prejudice to the institution of any proceeding for an offence under this Act, or for the recovery of the entire amount remaining unpaid under this Act.";

Substitution of new sections for section 14, Madras Act X of 1939.

5. For section 14 of the principal Act, the following sections shall be substituted, namely :—

" 14. *Penalties.*—(1) (*a*) The proprietor of any entertainment or any person employed by him in any place of entertainment who admits any person to any place of entertainment in contravention of the provisions of section 6, or

(*b*) the proprietor of any entertainment who—

(i) fraudulently evades the payment of any tax due under this Act, or

(ii) contravenes any of the provisions of this Act,

shall, on conviction by a Magistrate, be liable in respect of each such offence to a fine which may extend to five hundred rupees.

(2) Where any person is found without a ticket or pass in any place of entertainment, the proprietor of the entertainment or the person employed by him shall be deemed to have admitted such person in contravention of the provisions of section 6 unless the proprietor or the person employed by him proves that the person found without a ticket or pass had entered such place without the knowledge or connivance of the proprietor or the person employed by him.

14-A. *Penalty for being found without a ticket or pass.*—Any person who is found without a ticket or pass in any place of entertainment shall, unless he proves that he was admitted to such place with the knowledge or connivance of the proprietor or any person employed by him, on conviction by a Magistrate, be liable to a fine which may extend to one hundred rupees.

14-B. *Penalty for abettors.*—Whoever abets the commission of any offence under this Act shall be punished with the punishment provided for the offence.".

Amendment of section 16, Madras Act X of 1939.

6. In section 16 of the principal Act,—

(i) in sub-section (1), the words " by notification in the Official Gazette " shall be omitted;

(ii) for sub-section (4), the following sub-sections shall be substituted, namely :—

" (4) (*a*) All rules made under this Act shall be published in the Official Gazette and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(*b*) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

(5) Every rule made or notification issued under this Act shall, as soon as possible after it is made or issued, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or notification or both Houses agree that the rule or notification should not be made or issued, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.".

Validation of assessment and collection of certain taxes.

7. Notwithstanding anything contained in this Act or in the principal Act or in any judgment, decree or order of any Court, no assessment or re-assessment or collection of any tax due on any payment for admission to any entertainment or any cinematograph exhibition which has escaped assessment to tax, or which has been assessed at a rate lower than the rate at which it is assessable, under section 4 or 4-A of the principal Act, made at any time after the date of the commencement of the principal Act and before the date of the publication of this Act in the *Fort St. George Gazette* shall be deemed to be invalid or ever to have been invalid on the ground only that such assessment or re-assessment or collection was not in accordance with law and such tax assessed or re-assessed or collected or purporting to have been assessed or re-assessed or collected

shall, for all purposes, be deemed to be and to have always been validly assessed or re-assessed or collected; and accordingly—

(*a*) all acts, proceedings or things done or taken by the State Government or by any officer of the State Government or by any other authority in connection with the assessment or re-assessment or collection of such tax shall, for all purposes be deemed to be, and to have always been done or taken in accordance with law ;

(*b*) no suit or other proceeding shall be maintained or continued in any Court against the State Government or any person or authority whatsoever for the refund of any tax so paid; and

(*c*) no Court shall enforce any decree or order directing the refund of any tax so paid.

THE INDIAN REGISTRATION (MADRAS AMENDMENT) ACT, 1966.

Received the assent of the President on the 22nd December, 1966 ;
Published in the Fort St. George Gazette, Part IV, Section 4, page 163,
dated 28th December, 1966.

ACT No. XXI OF 1966.

An Act further to amend the Indian Registration Act, 1908 *in its application to the State of Madras.*

BE it enacted by the Legislature of the State of Madras in the Seventeenth Year of the Republic of India as follows :

Short title, extent and commencement.

1. (1) This Act may be called THE INDIAN REGISTRATION (MADRAS AMENDMENT) ACT, 1966.

(2) It extends to the whole of the State of Madras.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of section 52, Central Act XVI of 1908.

2. In section 52 of the Indian Registration Act, 1908 (Central Act XVI of 1908) (hereinafter referred to as the principal Act),—

(*a*) in sub-section (1),

(i) in clause (*a*), the word " and " shall be added at the end;

(ii) in clause (*b*), the word " and " occurring at the end shall be omitted; and

(iii) clause (*c*) shall be omitted;

(*b*) after sub-section (1), the following sub-sections shall be inserted, namely:

" (1-A) Subject to the provisions contained in section 62, where any document, not being of the class specified in the rules made under sub-section (3), is admitted to registration, it shall, without unnecessary delay, be copied in the appropriate book according to the order of its admission.

(1-B) Subject to the provisions contained in section 62 and in the rules made under sub-sections (3) and (4) and under section 89-A, where any document of the class specified in the rules made under sub-section (3) is admitted to registration, a true copy thereof shall, without unnecessary delay, be filed in the appropriate book according to the order of its admission.";

(*c*) after sub-section (2), the following sub-sections shall be added, namely:

"(3) The State Government may, from time to time, specify by rules the classes of documents in respect of which true copies shall be filed in the appropriate book under sub-section (1-B).

(4) The true copy referred to in sub-section (1-B), shall be neatly handwritten, printed, typewritten, lithographed, or otherwise prepared in accordance with such rules as may be made in this behalf.

(5) The provisions of this Act shall, in their application to the classes of documents specified in the rules made under sub-section (3), have effect subject to the modifications set out in the Schedule."

Amendment of section 81, Central Act XVI of 1908.

3. In section 81 of the principal Act,—

(i) in the marginal heading, for the words "or registering," the words "registering or filing" shall be substituted;

(ii) for the words "or registering of any document," the words "registering, or filing a true copy, of any document" shall be substituted;

(iii) for the words "or registers such document," the words "registers, or files a copy of, such document" shall be substituted.

Amendment of section 82, Central Act XVI of 1908.

4. In clause (*b*) of section 82 of the principal Act, for the words and figures "under section 19 or section 21," the words "under this Act or the rules made thereunder" shall be substituted.

Insertion of new section 89-A in Central Act XVI of 1908.

5. After section 89 of the principal Act, the following section shall be inserted, namely :—

"89-A. *Power to make rules for filing of copies of documents.*—(1) The State Government may make rules for all purposes connected with the filing of true copies of documents in the appropriate books under this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(*a*) the furnishing of true copies of documents by the person presenting the document for registration;

(*b*) the manner in which true copies of documents shall be prepared; and

(*c*) the manner of filing of such copies.

(3) All rules made under this section shall be published in the Official Gazette and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(4) Every rule made under this section shall, as soon as possible, after is made, be placed on the table of both Houses of the State Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

Insertion of Schedule in Central Aenct XVI of 1908.

6. After section 91 of the principal Act, the following Schedule shall be inserted, namely :—

"THE SCHEDULE.

[*See* section 52 (5).]

MODIFICATION OF CERTAIN PROVISIONS OF THE ACT.

1. In section 19, omit the words " and also by a true copy " .

2. In section 45,—

(*a*) in sub-section (1), for the words and figure " cause the contents thereof to be copied into his Book No. 3 " , substitute the words and figure " cause a true copy of the contents thereof to be made and filed in his Book No. 3 " ; and

(*b*) in sub-section (2), for the words " copy has been made " , substitute the words " true copy has been filed " .

3. In sub-section (2) of section 46,—

(*a*) for the words " unless the will has been already copied " , substitute the words " unless a true copy of the will has already been filed " ; and

(*b*) for the words and figure " cause the will to be copied into his Book No. 3 " substitute the words and figure " cause a true copy of the will to be made and filed in his Book No. 3 ".

4. In section 51,—

(*a*) for sub-section (2), substitute the following sub-section, namely :—

" (2) In Book 1 shall be filed,—

(i) true copies of all documents ; and

(ii) all memoranda,

registered under sections 17, 18 and 89 which relate to immovable property, and are not wills." ; and

(*b*) in sub-section (3), for the words " entered all documents " , substitute the words " filed true copies of all documents ".

5. In section 54, for the words " copied or filed ", substitute the words " filed a true copy of, or "

6. In section 55,—

(*a*) in sub-section (2), for the words " every document entered or memorandum filed, " substitute the words " every document of which a true copy, or memorandum, is filed " ;

(*b*) in sub-section (4), for the words and figure " every will and authority entered in Book No. 3 " , substitute the words and figure " every will and authority of which a true copy is filed in Book No. 3 " ; and

(*c*) in sub-section (5), for the words " document entered " , substitute the words " document of which a true copy is filed " .

7. In sub-section (1) of section 60, for the words " the document has been copied " , substitute the words " the true copy of the document has been filed " .

8. In sub-section (1) of section 61, omit the words " the margin of " .

9. In section 62, for sub-section (1), substitute the following sub-section, namely :—

" (1) When a document is presented for registration under section 19, the translation together. with the true copy of the document shall be filed in the appropriate book. "

[END OF VOLUME (1966) M.L.J. SUPP. (M. ACTS).]